



REVISED AGENDA REGULAR BUSINESS MEETING OF CITY COUNCIL

Monday, November 18, 2019

1:00 p.m.

Council Chamber, City Hall

Pages

1. NATIONAL ANTHEM AND CALL TO ORDER

2. CONFIRMATION OF AGENDA

15 - 39

Recommendation

1. That the request to speak from Chris Guerette, Saskatoon & Region Home Builders' Association, dated November 15, 2019 be added to item 8.1.7;
2. That the letter submitting comments from Randy Pshebylo, Riversdale Business Improvement District, dated November 18, 2019 be added to item 8.1.9;
3. That the request to speak from Randy Pshebylo, Riversdale Business Improvement District, dated November 18, 2019 be added to item 8.4.1;
4. That the following letters be added to item 8.4.2:
 1. Submitting Comments
 1. Robert Kavanagh, dated November 14, 2019;
 2. Gail Stevens, dated November 14, 2019;
 3. Jan Shadick, Living Sky Wildlife Rehabilitation, dated November 15, 2019;

5. That the following letters be added to item 9.4.1:
 1. Request to Speak
 1. Robert Clipperton, Bus Riders of Saskatoon, dated November 14, 2019;
 2. Submitting Comments
 1. Benjamin Ralston, dated November 14, 2019;
 2. Peter Gallen, dated November 16, 2019;
6. That Request for Budget Adjustment - Capital Project #2266 - Highway 16 and 71st Street Intersection Upgrades be added as item 9.4.2;
 1. Randy Pshebylo, Riversdale Business Improvement District, dated November 14, 2019;
 1. Brian Smith, dated November 17, 2019
8. That the letter requesting to speak from Laura Zink, University of Saskatchewan, dated November 15, 2019 be added to item 10.6.2;
9. That the items with speakers be considered immediately following consideration of the Consent Agenda in the following order:
 1. Item 8.1.7 - Chris Guerette, Saskatoon & Region Home Builders' Association
 2. Item 8.4.1 - Randy Pshebylo, Riversdale Business Improvement District
 3. Item 9.4.1 - Robert Clipperton, Bus Riders of Saskatoon
 4. Item 10.1.1 - Randy Pshebylo, Riversdale Business Improvement District
 5. Item 10.6.2 - Laura Zink, University of Saskatchewan; and
10. That the agenda be confirmed as amended.

3. DECLARATION OF CONFLICT OF INTEREST

4. ADOPTION OF MINUTES

40 - 58

Recommendation

That the minutes of the Regular Business Meeting of City Council held on October 28, 2019, be adopted.

5. PUBLIC ACKNOWLEDGMENTS

5.1 Local 80 I.A.F.F. / City of Saskatoon Scholarship - 2019 [File No. CK. 150-5]

Recipient - Jonathan Blom

5.2 Council Members

This is a standing item on the agenda in order to provide Council Members an opportunity to provide any public acknowledgements.

6. UNFINISHED BUSINESS

7. QUESTION PERIOD

8. CONSENT AGENDA

Recommendation

That the Committee recommendations contained in Items 8.1.1 to 8.1.9; 8.2.1 to 8.2.2; 8.3.1 to 8.3.2; 8.4.1 to 8.4.3; and 8.5.1 be adopted as one motion.

8.1 Standing Policy Committee on Planning, Development & Community Services

- | | | |
|--------------|---|----------------|
| 8.1.1 | Diversity, Equity and Inclusion Advisory Committee - Feedback - Civic Naming Committee - Engagement and Inclusion in the Naming Process [File No. CK 6310-0] | 59 - 60 |
|--------------|---|----------------|

Recommendation

That the Civic Naming Committee provide twice annual reports to the Diversity, Equity and Inclusion Advisory Committee for feedback with particular reporting on diversity in naming progress and opportunities for support.

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| 8.1.2 | Commercial Building Permit Program - Proposed Fee Changes [File No. CK 301-1 and PL 4240-9] | 61 - 70 |
|--------------|--|----------------|

Recommendation

That the proposed fee changes and policy changes for the Commercial Building Permit Program be forwarded for consideration by City Council at the 2020/2021 Budget Deliberations.

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|--------------|---|-----------------|
| 8.1.3 | Development Review Program – Proposed Fee Changes [File No. CK 4350-1 and PL 4350-Z7/19] | 71 - 113 |
|--------------|---|-----------------|

Recommendation

That proposed fee changes and policy changes for the Development Review Program be forwarded for consideration by City Council at the 2020 - 2021 Preliminary Operating

Budget deliberations.

- 8.1.4 Parks and Recreation Levy and Community Centre Levy - Rates - 2019 [File No. CK 4216-1 and RCD 4216-1]** 114 - 116
- Recommendation**
1. That adjustments to the 2019 Parks and Recreation Levy rate, as outlined in the November 5, 2019 report of the General Manager, Community Services Department, be approved; and
 2. That the 2019 Community Centre Levy rates for each developing neighbourhood, as outlined in the November 5, 2019 report of the General Manager, Community Services Department, be approved.
- 8.1.5 Concept Plan Amendment – Prairieland Park [File No. CK 4225-3 and PL 4225-2]** 117 - 156
- Recommendation**
- That the concept plan for Prairieland Park be amended to allow for the development of a new kitchen.
- 8.1.6 Francophone and Francophile Cities Network of America – City of Saskatoon Membership [File No. CK 277-1]** 157 - 166
- Recommendation**
- That the City of Saskatoon become a member of the Francophone and Francophile Network Cities of America.
- 8.1.7 2019 Adjusted, and 2020 Preliminary Prepaid Servicing Rates (Direct and Offsite) [File No. CK 4216-1 and TU 4216-1]** 167 - 182
- A letter requesting to speak from Chris Guerette, Saskatoon & Region Home Builders' Association, dated November 15, 2019, is provided.
- Recommendation**
1. That an adjustment be approved to the 2019 Prepaid Service Rates, as submitted under Appendix 1 to the November 5, 2019 Report of the General Manager, Transportation and Construction Department; and
 2. That the Preliminary 2020 rates be set at the 2019 rates, and adjusted in late 2020 based on actual 2020 contract costs.
- 8.1.8 Provision of Civic Services through Special Events Service Level [File No. CK 205-0, x116-1 and RCD 1870-12]** 183 - 200

Recommendation

That Option 1 – Status Quo City of Saskatoon Funded Supports to Special Events, and increase the budget by \$75,000 in 2020 and an additional \$75,000 in 2021 to a total \$230,000 as included in the proposed 2020 and 2021 Preliminary Operating Budget and provide civic services to eligible publicly accessible events, be approved.

8.1.9 Streamlining Downtown Development – Boundary Options for Interim Exemption of Offsite Levies [File No. CK 4130-1, x4216-1 and PL 4110-78] 201 - 217

A letter submitting comments from Randy Pshebylo, Riversdale Business Improvement District, dated November 18, 2019 is provided.

Recommendation

That exemptions laid out in Option 4 – Expand Exemption to the Established Neighbourhoods (Excluding University of Saskatchewan Lands), restricted to the zoning districts laid out in Option 5 – Expand Exemption Based on Zoning of the November 5, 2019 report of the General Manager, Community Services Department, be implemented. That once implemented, these exemptions be reviewed alongside the results from the levy audit currently underway.

8.2 Standing Policy Committee on Finance

8.2.1 Incentive Application – Axiom Industries Ltd. [File No. CK. 3500-13] 218 - 221

Recommendation

1. That the application from Axiom Industries Ltd. for a five-year tax abatement on the incremental portion of taxes at 3615 Burron Avenue, as a result of its development in 2020, be approved as follows:

- o 100% in Year 1;
- o 80% in Year 2;
- o 70% in Year 3;
- o 60% in Year 4;
- o 50% in Year 5; and

2. That the City Solicitor be instructed to prepare the appropriate agreements.

8.2.2 Acquisition of Land for Future Development – Northeast Growth Area [File No. CK. 4020-1] 222 - 227

Recommendation

1. That the Administration be authorized to purchase NE 32-37-4 W3 Ext 58, SE 32-37-4 W3 Ext 59, SW 32-37-4 W3 Ext 0, and NW 32-37-4 W3 Ext 61 (ISC Surface Parcel Nos. 131838712, 131838723, 118558615, and 131838734), comprising of approximately 550.81 acres, from 590028 Saskatchewan Ltd. at a purchase price of \$9,000,235.40; and
2. That the City Solicitor be requested to prepare the appropriate agreement and that His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal.

8.3 Standing Policy Committee on Environment, Utilities & Corporate Services

8.3.1 Sanitary Sewer Charge Exemption – Arbor Glen Condo Corporation [CK. 1905-2] 228 - 230

Recommendation

That the request for a sanitary sewer charge exemption for the Arbor Glen Condo Corporation, located at 330 Stodola Court, be approved; and the Director of Corporate Revenue be requested to remove the sanitary sewer charge from water meter numbers 60119638 and 60119639, effective July 16, 2019.

8.3.2 Changes to Net Metering and Small Power Producer Programs [CK. 2000-1 x 1905-3] 231 - 244

Recommendation

That customers with approved applications be considered existing net metering customers for future rate deliberations.

8.4 Standing Policy Committee Transportation

8.4.1 Snow Clearing of Adjoining Cycling Infrastructure and Sidewalks [File No. CK 6290-1] 245 - 250

A request to speak from Randy Pshebylo, Riversdale Business Improvement District, dated November 18, 2019, is provided.

Recommendation

That Option 1 in the report of the General Manager, Transportation & Construction Department dated November 4, 2019, be adopted.

8.4.2 Chief Mistawasis Bridge Traffic Impact Assessment [File No. CK 251 - 289 6320-1]

The following letters are provided:

Submitting Comments

1. Margi Corbett, dated November 5, 2019
2. Robert Kavanagh, dated November 14, 2019;
3. Gail Stevens, dated November 14, 2019; and
4. Jan Shadick, Living Sky Wildlife Rehabilitation, dated November 15, 2019.

Recommendation

That a speed study be done at the Chief Mistawasis Bridge corridor, including if there are any instances of accidents involving wildlife, with a comparison to other roadways surrounding the city, and any information regarding traffic infractions.

8.4.3 Overnight Parking Restrictions in Business Improvement Districts [Files CK 6120-1, x1680-1] 290 - 300

Recommendation

That the report of the General Manager, Transportation & Construction dated November 4, 2019 be received as information.

8.5 Governance and Priorities Committee

8.5.1 Workplace Transformation Journey: Corporate Reorganization Bylaw Repeals (File No. CK. 115-12) 301 - 303

Recommendation

That the City Solicitor be directed to prepare bylaws to repeal:

1. Bylaw No. 5257, *The Local Improvement Procedure Bylaw*;
2. Bylaw No. 4486, *A bylaw of The City of Saskatoon to adopt Section 3 of The Lord's Day (Saskatchewan) Act*;

3. Bylaw No. 5631, *A bylaw of the City of Saskatoon to provide for the regulation of Planned Unit Developments*; and
4. Bylaw No. 5048, *A Bylaw to appoint The Saskatchewan Society for the Prevention of Cruelty to Animals (Saskatoon Branch) as Poundkeeper for The City of Saskatoon.*

9. COMMITTEE REPORTS

9.1 Standing Policy Committee on Planning, Development & Community Services

9.2 Standing Policy Committee on Finance

9.3 Standing Policy Committee on Environment, Utilities & Corporate Services

9.4 Standing Policy Committee Transportation

9.4.1 Transit Detour Process [File No. CK 7311-1]

304 - 320

The following letters are provided:

Request to Speak

- Robert Clipperton, Bus Riders of Saskatoon, dated November 14, 2019;

Submitting Comments

- Benjamin Ralston, dated November 14, 2019; and
- Peter Gallen, dated November 16, 2019;

Recommendation

That in addition to a digital approach, Saskatoon Transit continue using physical notices for bus detours and changes at the impacted bus stops.

9.4.2 Request for Budget Adjustment - Capital Project #2266 - Highway 16 and 71st Street Intersection Upgrades [Files CK 1702-1, x6000-1]

321 - 324

Recommendation

That the Mayor and Council send a letter to the RM of Corman Park requesting the money to be paid.

9.5 Governance and Priorities Committee

- 9.5.1 **2020 Annual Appointments – Boards, Commissions and Committees (File No. CK. 225-1 x 175-1)** 325 - 332

Recommendation

That the recommended appointments to Boards, Commissions and Committees and any further direction, as noted by the City Clerk and attached to this report, be approved.

- 9.5.2 **City Council Strategic Priorities (File No. CK. 116-0 x 116-1)** 333 - 349

Recommendation

That the *City Council Strategic Priority & Leadership Initiative Policy* attached as Appendix 2 to the report of the City Solicitor dated November 12, 2019, be adopted.

- 9.5.3 **Time Limits for Debate on Motions in Committee Meetings (File No. CK. 255-2)** 350 - 356

Recommendation

1. That City Council implement Option 2, as described in the report of the City Manager dated November 12, 2019;
2. That *The Procedures and Committees Bylaw, 2014* be amended such that debate for items in the public session for the Governance and Priorities Committee of City Council be limited to five minutes per member; and
3. That the Administration report back on the process for the flow of the agenda items in comparable cities.

- 9.5.4 **Governance Review of Controlled Corporations – Governance Details and Engagement Results (File No. CK. 175-1)** 357 - 535

Recommendation

Board of Directors of Controlled Corporations (Appendix 2):

1. That it set a range for Board size of 6 to 15 Directors for each Controlled Corporation;
2. That two City Councillors be appointed to the Board of each Controlled Corporation;
3. That the Corporate Bylaws be amended to codify that a Director who also serves as a member of Council has the ability to report to City Council and the Governance and Priorities Committee *In Camera*;
4. That each Controlled Corporation adopt meeting

procedures within 60 days of this resolution being passed by City Council;

5. That it limit meetings to occur within Saskatoon census metropolitan area; and
6. That the City Clerk's Office conduct mandatory Board Orientation with each of the Controlled Corporations on an annual basis.

Directors of the Controlled Corporations (Appendix 3):

That the appointment policy be maintained to reflect two-year appointments to a maximum of six consecutive years.

Committees of the Boards (Appendix 4)

1. That an Audit Committee be required to be established and that the Corporate Bylaws of the Controlled Corporations be amended to clarify that committees shall be advisory in nature only and that all decisions must be made by the Boards; and
2. That the determination of committee composition be left up to the Boards.

Management of the Controlled Corporations (Appendix 5)

1. That the Governance Subcommittee update the *Directors' Code of Conduct* and the *Directors' Anti-Harassment Policy* and that the new policies be provided to the Controlled Corporations for adoption;
2. That the Governance Subcommittee draft Financial/Transparency policies, a Respectful and Harassment-Free Workplace Policy, a Drug and Alcohol Policy, an Employee Code of Conduct and Conflict of Interest Policy, and any other policies as required, in consultation with the Controlled Corporations and that the new policies be provided to the Controlled Corporations for adoption;
3. That the Governance Subcommittee develop a list of other policies for consideration by the Controlled Corporation Boards;
4. That services be provided to the Controlled Corporations only upon request and that Service Agreements be entered into for the provision of those services;
5. That a uniform CEO Recruitment Policy be drafted by the Governance Subcommittee and provided to the Controlled Corporations for adoption;

6. That the Corporate Bylaws of the Controlled Corporations be amended to require the establishment of a CEO Recruitment/Performance Committee for each Controlled Corporation;
7. That a City Councillor be appointed to the CEO Recruitment/Performance Committee for each Controlled Corporation;
8. That the City Solicitor negotiate a Memorandum of Understanding with each Controlled Corporation and bring each back to City Council for approval; and
9. That the City Solicitor negotiate an Operating Agreement with each Controlled Corporation and bring each back to City Council for approval.

10. ADMINISTRATIVE REPORTS

10.1 Transportation & Construction

10.1.1 Bicycle Bylaw Update - Proposed Revisions [Files CK 5300-5-2, x6000-5] 536 - 703

The Standing Policy Committee on Transportation, at its meeting held on November 4, 2019, referred this matter directly to City Council for consideration.

Letters from the following are provided:

- Benjamin Ralston, dated November 1, 2019; and
- Randy Pshebylo, Executive Director, Riversdale Business Improvement District, dated November 4, 2019.

The following letters are provided:

Request to Speak

- Randy Pshebylo, Executive Director, Riversdale Business Improvement District, dated November 4, 2019

Submitting Comments

- Brian Smith, dated November 17, 2019

Recommendation

1. That Bylaw No. 6884, The Bicycle Bylaw be amended

as based on the policy framework provided in this report; and

2. That the City Solicitor be requested to prepare the appropriate amendment to Bylaw No. 6884, The Bicycle Bylaw.

10.2 Utilities & Environment

10.3 Community Services

10.4 Saskatoon Fire

10.5 Corporate Financial Services

10.6 Strategy & Transformation

10.6.1 Allowable Expenses for Engagement Activities [File No. CK. 372-1] 704 - 705

Recommendation

That the report of the Interim Chief Strategy & Transformation Officer be received as information.

10.6.2 City of Saskatoon/University of Saskatchewan – Memorandum of Understanding – Research Connections Update [File No. CK. 220-9] 706 - 709

The Governance & Priorities Committee, at its meeting held on November 12, 2019, considered a nomination request for City Councillor representation on the Research Grant Awards Committee and resolved, in part that the Administration be requested to provide additional information and Terms of Reference with respect to the Councillor appointment.

Item 17.1 Nomination Request - City Councillor Representation on Research Connections Grant Awards Committee is complementary to this item.

A letter requesting to speak from Laura Zink, University of Saskatchewan, dated November 15, 2019 is provided.

Recommendation

That the information be received.

10.7 Human Resources

10.7.1 2017 Contract Negotiations (2017-2019) Amalgamated Transit Union No. 615 [File No. CK. 4720-2] 710 - 713

Recommendation

1. That the proposed changes set out in the Revision to the Collective Agreement (Attachment 1) with respect to the 2013-2017 Collective Agreement with the Amalgamated Transit Union, Local No. 615 be approved; and
2. That His Worship the Mayor and the City Clerk be authorized to execute the revised contract under the Corporate Seal.

10.8 Public Policy & Government Relations

11. LEGISLATIVE REPORTS

11.1 Office of the City Clerk

11.2 Office of the City Solicitor

11.2.1 The Saskatoon Municipal Review Commission Amendment Bylaw, 2019 (No. 2) - Proposed Bylaw No. 9657 [File No. CK. 255-18] 714 - 717

Recommendation

That City Council consider Bylaw No. 9657, *The Saskatoon Municipal Review Commission Amendment Bylaw, 2019 (No. 2)*.

12. OTHER REPORTS

13. INQUIRIES

14. MOTIONS (NOTICE PREVIOUSLY GIVEN)

15. GIVING NOTICE

16. URGENT BUSINESS

17. IN CAMERA SESSION

Recommendation

That item 17.1 be considered *In Camera*.

17.1 Nomination Request - City Councillor Representation on Research 718

Connections Grant Awards Committee (File No. CK. 220-9)

The Governance & Priorities Committee, at its meeting held on November 12, 2019, considered a nomination request for City Councillor representation on the Research Grant Awards Committee and resolved:

- *That the Administration be requested to provide additional information and Terms of Reference with respect to the Councillor appointment; and*
- *That the submitted documentation be provided publicly.*

A letter dated November 1, 2019 is attached from Laura Zink, Director, Strategic Research Initiatives, University of Saskatchewan.

Item 10.6.2 is complementary to this item.

18. RISE AND REPORT

19. ADJOURNMENT

Bryant, Shellie

From: Chris Guérette <cguerette@icloud.com>
Sent: November 15, 2019 3:46 PM
To: City Council
Subject: Form submission from: Write a Letter to Council

Submitted on Friday, November 15, 2019 - 15:46

Submitted by anonymous user: 71.17.241.98

Submitted values are:

Date Friday, November 15, 2019

To His Worship the Mayor and Members of City Council

First Name Chris

Last Name Guérette

Email cguerette@icloud.com

Address 17-102 Cope Cres

City Saskatoon

Province Saskatchewan

Postal Code S7T 0X2

Name of the organization or agency you are representing (if applicable) Saskatoon & Region Home Builders' Association

Subject Request to speak for agenda item 8.1.7

Meeting (if known) City Council Meeting of November 18 2019

Comments Request to speak on industry perspective to consent agenda item 8.1.7

Attachments

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349351>

Thompson, Holly

From: Randy Pshebylo <randy@riversdale.ca>
Sent: Monday, November 18, 2019 7:51 AM
To: City Council
Subject: Form submission from: Write a Letter to Council

Submitted on Monday, November 18, 2019 - 07:50

Submitted by anonymous user: 174.2.249.79

Submitted values are:

Date Monday, November 18, 2019
To His Worship the Mayor and Members of City Council
First Name Randy
Last Name Pshebylo
Email randy@riversdale.ca
Address 344 20th Street West
City Saskatoon
Province Saskatchewan
Postal Code S7M 0X2
Name of the organization or agency you are representing (if applicable) Riversdale Business Improvement District
Subject Streamlining Downtown Development
Meeting (if known) City Council Meeting Monday, November 18, 2019
Comments
Let this email serve as support from the Riversdale Business Improvement District for City Council to vote for Option #4 with item 8.1.9 Streamlining Downtown Development – Boundary Options for Interim Exemption of Offsite Levies [File No. CK 4130-1, x4216-1 and PL 4110-78].

Attachments

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349527>

Thompson, Holly

From: Randy Pshebylo <randy@riversdale.ca>
Sent: Monday, November 18, 2019 7:20 AM
To: City Council
Subject: Form submission from: Write a Letter to Council

Submitted on Monday, November 18, 2019 - 07:19

Submitted by anonymous user: 174.2.249.79

Submitted values are:

Date Monday, November 18, 2019

To His Worship the Mayor and Members of City Council

First Name Randy

Last Name Pshebylo

Email randy@riversdale.ca

Address 344 20th Street West

City Saskatoon

Province Saskatchewan

Postal Code S7M 0X2

Name of the organization or agency you are representing (if applicable) Riversdale Business Improvement District

Subject 8.4.3 Overnight Parking Restrictions in Business Improvement Districts

Meeting (if known) City Council Meeting November 18, 2019

Comments

The Executive Director of the Riversdale Business Improvement District respectfully requests to speak to item 8.4.3 Overnight Parking Restrictions in Business Improvement Districts [Files CK 6120-1, x1680-1] at the Monday, November 18, 2019 meeting of Saskatoon City Council.

Attachments

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349524>

Bryant, Shellie

From: Robert Kavanagh [REDACTED]
Sent: November 14, 2019 4:55 PM
To: City Council
Subject: Form submission from: Write a Letter to Council
Attachments: council_and_swale.pdf

Submitted on Thursday, November 14, 2019 - 16:55

Submitted by anonymous user: 207.47.175.195

Submitted values are:

Date Thursday, November 14, 2019
To His Worship the Mayor and Members of City Council
First Name Robert
Last Name Kavanagh
Email [REDACTED]
Address [REDACTED] MAHABIR CRT
City SASKATOON
Province Saskatchewan
Postal Code [REDACTED]
Name of the organization or agency you are representing (if applicable) none
Subject Northeast Swale
Meeting (if known) unknown
Comments see attached letter
Attachments
[council_and_swale.pdf](#)

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349244>

His Worship the Mayor and Members of City Council,

I lived in Southern California for five years. There are many people there who may never see anything like wilderness, let alone an area of land that is largely in its natural state within their municipal borders. The Northeast Swale can be a jewel in Saskatoon's crown, to be enjoyed by future generations, but only if we preserve and protect it.

There is a need for Council to exercise some leadership with regard the Swale, in two areas. First, rather than decrying the fact that some people complain about having to slow down on parts of the roadways leading to the Chief Mistawasis bridge, we could be celebrating the fact that we have major roadways where speeds of at least 50 Kph can be sustained from end to end, instead of living in Toronto or Los Angeles, where roadways with much higher posted limits turn into parking lots at the times travellers need them the most. Both McOrmond Drive and Central Avenue have sections (2.5 Km and 0.7 KM in length respectively) posted at 50 Kph, bracketed by limits of 60 Kph, and both have a traffic light within the 50 Kph zones. Assuming the traffic lights don't require coming to a complete stop, the difference in travelling times between 50 and 60 Kph are 50 seconds for the slower zones of McOrmond and 8 seconds for Central Avenue. Drivers already accept the need to slow to 30 Kph in School zones, and coming to a complete stop at railroad crossings occupied by trains. It should not be a hardship to also exercise some restraint while crossing through the Swale.

Second, the notion that changing the plan to build yet another major roadway through the Swale would be a 'major mistake' implies that we should ignore information that was not available or considered when the current plan was drawn up decades ago. What really would be a mistake would be to refuse to thoroughly examine the full implications of going ahead with this project as currently envisioned, and identify new options that are more appropriate for the future. Note that a recent CPAWS report¹ concludes that Canada needs to not only protect areas like the Swale, but in fact to TRIPLE the amount of protected land and water. It may well be that changing the route will cost more money; but having leadership that would explain and defend putting funds into environmental sustainability, instead of attacking it, would be something future generations would applaud.

I honour your commitment to being elected members of Council. I know this is not an easy job. In your roles as community leaders, there must be times when you are called upon to tell your constituents something that they need to hear, rather than what they want to hear. Some people want to be told that they can drive as fast as they wish, anytime and anywhere they want. Some see the Northeast Swale as an 'inconvenience', rather than as a remarkable asset to the City. However, what they need to be told is that "there are good reasons for speed limits in the City; there is a need to protect this important piece of land; your Council has considered these needs very carefully and has chosen courses of action and regulations that will make people proud to live in Saskatoon."

I hope you will consider fully the many aspects of preserving and protecting the Swale. It is too great an opportunity to fail to seize.

Robert Kavanagh
[REDACTED] Mahabir Court
Saskatoon, SK
[REDACTED]

[REDACTED]

Bryant, Shellie

From: Gail Stevens [REDACTED]
Sent: November 14, 2019 5:57 PM
To: City Council
Subject: Form submission from: Write a Letter to Council
Attachments: letter_to_councilor.docx

Submitted on Thursday, November 14, 2019 - 17:57

Submitted by anonymous user: 206.75.53.188

Submitted values are:

Date Thursday, November 14, 2019
To His Worship the Mayor and Members of City Council
First Name Gail
Last Name Stevens
Email [REDACTED]
Address [REDACTED] Silverwood Road
City Saskatoon
Province Saskatchewan
Postal Code [REDACTED]
Name of the organization or agency you are representing (if applicable)
Subject Speed limits on McOrmond Road
Meeting (if known) November 18 Council Meeting
Comments
Good morning,

I sent the attached letter to my councillor, Mr. Donauer, and request that other councillors receive it, as well.

Thank you.
Gail Stevens
Attachments
letter_to_councilor.docx
<https://www.saskatoon.ca/sites/default/files/webform/letter_to_councilor.docx>

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349252>

November 8, 2019

Dear Councillor Donauer,

As one of your constituents, I write to assure you that I am comfortable with the reduced speed on the section of McOrmond Road that crosses the Swale.

I can understand why some constituents might complain about needing to slow down to avoid killing wildlife, and to protect their own safety by avoiding wildlife collisions.

Public policy must be for the common good, with the understanding that good public policy might entail some inconvenience. Sometimes, as individual citizens, we forget that.

I lived away for over ten years and returned here four years ago to my home city, Saskatoon. Over the period of my absence, reduced speed signs were posted in school zones. This was new for me. I found this rather inconvenient. I was not used to slowing down that much. It took me a while to adjust to the change. However, the City had made the right decision to protect life, and I whole-heartedly support that decision.

Similarly, municipalities have a duty to protect vulnerable ecosystems and vulnerable wildlife within the larger natural environment, of which our City is an interconnected part. Federal and provincial law protects endangered species, for example, some of which are residents in the swale.

Some may find that slowing down on part of McOrmond Road is inconvenient. I believe, however, that doing so is a relatively small adjustment for mature adults to make. I trust that they are able to adjust, just as we adjusted to reduce our speed in school zones.

We trust our elected representatives to consider the big picture, and avoid the narrow self-interest that sometimes blind us, as individuals, to the common good. It is in the best interests of our shared ecosystem that we retain the reduced speed requirement when drivers cross the swale.

Hopefully, in the future, the location of public roads and bridges will consider ecosystem impacts more seriously. Since McOrmond Road and Chief Mistawasis Bridge have already been built through the swale, it is reasonable that drivers reduce speed in order to mitigate more harm to wildlife and people. (As one who totaled my car when I hit a deer, I speak from experience!)

Thank you for accepting the challenge of seeing the big picture. As my councillor, I urge you to support decisions which respect the interests of life in the swale, including retention of the slower speed zone.

Sincerely,

Gail Stevens

████████ Silverwood Road

Bryant, Shellie

From: Jan Shadick [REDACTED]
Sent: November 15, 2019 1:28 PM
To: City Council
Subject: Form submission from: Write a Letter to Council

Submitted on Friday, November 15, 2019 - 13:27

Submitted by anonymous user: 216.197.221.42

Submitted values are:

Date Friday, November 15, 2019

To His Worship the Mayor and Members of City Council

First Name Jan

Last Name Shadick

Email [REDACTED]

Address [REDACTED] Temperance St

City Saskatoon

Province Saskatchewan

Postal Code [REDACTED]

Name of the organization or agency you are representing (if applicable) Living Sky Wildlife Rehabilitation

Subject North Commuter Parkway Speed Limits

Meeting (if known)

Comments

1. When the decision was being made about the speed limits for the roads through the Swales, there was an enormous amount of discussion, input and information that went into the selected speed limits. It was not a quick decision by any means.

Given that, why is council now re-thinking what was decided?

The speed limits are there for a reason, and those reasons have not changed in the last year.

One argument for this review is that people are not happy with the speed limits. I would suggest that our "happiness" about the rules is not relevant to the reasons for the rules. If there is a good reason to set the speed as it is, then it should stay that way. Otherwise trying to please everyone will result in chaos. Rational reason should prevail.

2. The bridge was needed, so it was built. There were projections about the number of cars using the bridge (we can expect these numbers to have been somewhat inflated to improve the argument for building it), but at no time was the "success" of the bridge to be determined by the actual number of cars using the span. If you raise the speeds limits, and use of the bridge does NOT increase, will you lower them again? (for the sake of the wildlife)

3. The number of wildlife collisions is 0 in the section that is set at 50km/hour. Does that demonstrate success in reducing in wildlife collisions? If so, why change it?

The number of reported wildlife collisions is not to be considered an accurate reflection of wildlife injuries and mortalities as small animals will have been removed by predators or eaten before being discovered by clean-up crews. Injured animals will have disappeared into the bush and not been counted, as their bodies are not visible

artifacts of the collision on the road.

4. One comment was that no one lives there.... Actually, thousands of beings live there, and have a right to live there as they are contributing to our eco-system and our very survival on the planet. Wild Lives Matter, too.

Respectfully submitted,

Jan Shadick
Attachments

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349324>

Bryant, Shellie

From: Robert Clipperton [REDACTED]
Sent: November 14, 2019 9:11 PM
To: Web E-mail - City Clerks
Subject: Request to Speak to Council

Greetings,

I would like to added to the agenda to address Council at their meeting on November 18th regarding Agenda item 9.4.1 Transit Detour Process.

Thank you,

Robert Clipperton,
Bus Riders of Saskatoon.

[REDACTED]

Bryant, Shellie

From: Benjamin Ralston [REDACTED]
Sent: November 14, 2019 6:29 PM
To: City Council
Subject: Form submission from: Write a Letter to Council
Attachments: ltr_ralston_2019-11-14.pdf

Submitted on Thursday, November 14, 2019 - 18:29

Submitted by anonymous user: 128.233.10.169

Submitted values are:

Date Thursday, November 14, 2019

To His Worship the Mayor and Members of City Council

First Name Benjamin

Last Name Ralston

Email [REDACTED]

Address [REDACTED] Avenue E South

City Saskatoon

Province Saskatchewan

Postal Code [REDACTED]

Name of the organization or agency you are representing (if applicable)

Subject Bicycle Bylaw Update - Proposed Revisions

Meeting (if known) City Council Meeting on Monday, November 18th

Comments

I am asking City Council to consider my attached letter but not requesting to speak.

Attachments

ltr_ralston_2019-11-14.pdf <https://www.saskatoon.ca/sites/default/files/webform/ltr_ralston_2019-11-14.pdf>

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349254>

Benjamin Ralston
[REDACTED] Avenue E South
Saskatoon SK [REDACTED]

November 14, 2019

Office of the City Clerk
222 3rd Avenue North
Saskatoon SK S7K 0J5

Re: November 18th Agenda Item: Bicycle Bylaw Update – Proposed Revisions

Dear Members of City Council:

I write to express my enthusiastic and unqualified support for the recommendations set out within the August 2019 Project Report prepared by Ms. Marina Melchiorre regarding an update to the City of Saskatoon's Cycling Bylaw.

I assisted Saskatoon Cycles with its own submissions in support of reform to the existing Cycling Bylaw. Among other things, I supervised the initial research of a law student (Scott Silver) on this project, I then supplemented Mr. Silver's work and prepared a full draft of the submission from it, and assisted during a consultation process with the members of Saskatoon Cycles to elicit further input for a final draft. The final report has been included as an attachment to Ms. Melchiorre's own report.

I do note that several of Saskatoon Cycles' recommendations are *not* reflected in Ms. Melchiorre's report and I still stand behind all the recommendations made on behalf of Saskatoon Cycles and the painstaking research on which they were based. Nevertheless, I wish to wholly endorse Ms. Melchiorre's own report as it proposes balanced and politically feasible recommendations for updates to a bylaw that is out-of-date, confusing, and illogical in many respects.

Saskatoon Cycles has been advocating for the administration to amend the 1988 Cycling Bylaw since at least 2012 and the City of Saskatoon's now defunct Cycling Advisory Group put extensive work into this too. Likewise, the submissions I helped prepare for Saskatoon Cycles were circulated to the city administration well over two years ago and they have been followed by submissions from a diverse range of other local organizations that also weighed in on amendments to the 1988 Cycling Bylaw. Ms. Melchiorre's report is a reasoned and thoughtful response. I urge City Council not to let perfection remain the enemy of progress when it comes to bringing the 1988 Cycling Bylaw into the 21st century.

The length of Ms. Melchiorre's report reflects the depth of reflection, research, and community engagement that went into its preparation. The vast majority of its proposed amendments are dictated by basic common sense and should provoke very little controversy from the public. However, three of its proposals do appear to

have elicited some level of public controversy so I wish to address them in detail with the remainder of this submission.

One-meter minimum passing distance

The inclusion of a one-meter passing distance in the proposed amendments appears to be one of its more controversial recommendations. Yet this clearly falls in line with the best practices that have emerged in North America and internationally. In Saskatoon Cycles' submission it was pointed out that a majority of states in the US (28) had put in place legislated minimum passing distances of two feet or greater at the time of writing (2016). It appears that minimum passing distances of three feet or greater are now legislated in at least 32 states: Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Mississippi, Nebraska, Nevada, New Hampshire, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Virginia, Utah, West Virginia, Wisconsin, Wyoming, and DC.

The Saskatoon Cycles submission also pointed out that either the same (one-meter) or a greater minimum passing distance had been legislated by most states in Australia, as well as several countries in Europe at that time. However, in Canada, only Ontario and Nova Scotia had legislated minimum passing distances when the Saskatoon Cycles submission was researched and first drafted in 2016. Since that time a legislated minimum passing distance of one meter or more has been implemented in several other Canadian jurisdictions. In fact, there is now a one-meter minimum passing distance in a majority of all Canadian provinces: namely, Ontario, Quebec, Nova Scotia, Prince Edward Island, New Brunswick, and Newfoundland and Labrador. The City of Calgary has also very recently implemented the same minimum passing distance by way of municipal bylaw.

There is good reason for such a rapid adoption of a standard minimum passing distance across the globe. Motorists have been found to be at fault in the majority of bicycle-motor vehicle crashes (57%), passing too closely is the most common incident type (40.7%), and studies in the UK and Australia have found that 13-15% of all fatal bicycle crashes involved motorist sideswipes (see Debnath et al, "Factors influencing noncompliance with bicycle passing distance laws" (2018) 115 *Accident Analysis and Prevention* 137 at 137). The City of Saskatoon can feel confident that this amendment not only reflects a best practice, it could very well save lives.

It is also important to bear in mind that this amendment is best characterized as a *clarification* of the law rather than the imposition of some radical new requirement on those operating motor vehicles in Saskatoon. Provincial law already prohibits driving a vehicle "without reasonable consideration for other persons" (see section 44(2) of *The Highway Traffic Act, 1996*). Motorists can already be charged if they overtake a cyclist at an unsafe distance on the basis that doing so amounts to driving without reasonable consideration for others (see for example *R v Perret*, 2016-12-01SCPPerretJ (Sask. Prov. Ct.) [unreported]). And in jurisdictions where a minimum

passing distance has yet to be legislated, insurance bodies still often refer to this same distance in their guidance to drivers (see for example, Manitoba Public Insurance, “Motorists encouraged to leave one-meter distance when passing a cyclist” (22 June 2017): <<https://www.mpi.mb.ca/Pages/nr2017june22.aspx>>). At this time, it cannot be said with any certainty that overtaking cyclists with less than one-meter of clearance in Saskatoon is legal. Legislating a minimum one-meter passing distance will now make it clear for all road users that it is *not*.

No mandatory helmet provision

Another aspect of Ms. Melchiorre’s report that may be controversial is the absence of any recommendation in support of making helmet use mandatory for adults. I wish to quickly outline a few key reasons why I think the City of Saskatoon ought to accept this position and not make helmet use mandatory in this bylaw.

First of all, several studies have indicated that mandatory helmet laws may not be effective at reducing head injuries (see for example: Kay Teschke et al, “Bicycling injury hospitalisation rates in Canadian jurisdictions: Analyses examining associations with helmet legislation and mode share” (2015) *BMJ Open* 5; Jessica Dennis et al, “Helmet legislation and admissions to hospital for cycling related head injuries in Canadian provinces and territories: Interrupted time series analysis” (2013) *BMJ Open* 346; Sara Markowitz & Pinka Chatterji, “Effects of bicycle helmet laws on children’s injuries” (2015) *Health Economics* 24).

Second, there is evidence to suggest that mandatory helmet laws can discourage cycling (see Christopher Carpenter & Mark Stehr, “Intended and unintended consequences of youth bicycle helmet laws” (2011) 54:2 *Journal of Law and Economics* 305). These laws may promote an unjustified impression that cycling is dangerous when we may face a greater statistical risk of injury when climbing a ladder or getting into a bath (see Elizabeth Rosenthal, “To Encourage Biking, Cities Lose the Helmets” (29 September 2012) *New York Times*). This in turn can mean that even if such a law were to decrease rates of head injuries, it could also decrease physical activity levels so as to eliminate any net public health benefit (see Piet de Jong, “The Health Impact of Mandatory Bicycle Helmet Laws” (2012) *Risk Analysis* 32).

Third, an emphasis on helmet use can be seen as a form of “victim-blaming” and a distraction from more cycling supportive approaches to improving safety such as the creation of integrated networks of cycling infrastructure. In making this argument, one recent publication likened the “helmet fixation” in North America to a debate over whether making bullet-proof vests mandatory for city-dwellers would reduce the severity of gun violence in US cities. While a mandatory vest law could very well reduce deaths and injuries, “this would implicitly accept gun violence as inevitable, rather than seeking to stop people from being shot in the first place” (Greg Culver, “Bike helmets – a dangerous fixation? On the bike helmet’s place in the cycling safety discourse in the United States” (2018) *Applied Mobilities*).

Fourth, there is some evidence to suggest that helmet use communicates a false sense of security to cyclists and drivers alike, causing the former to engage in riskier behaviours on their bikes and the latter to engage in riskier behaviour when overtaking cyclists on the road. According to one researcher, this could explain why a compulsory helmet policy in Australia (which has apparently since been abandoned) led to a significant *increase* in cycling injury rates rather than an anticipated decrease (see David Pimentel, “Cycling, Safety, and Victim-Blaming: Towards a Coherent Public Policy for Bicycling in 21st Century America (2018) 85 *Tennessee Law Review* 753 [“Pimentel”] at 784-785).

Finally, mandatory helmet laws create financial and practical barriers to cycling in general, as well as to specific cycling programs like the bike-sharing facilities now available in major cities across the globe (see Pimentel at 783). This financial and practical barrier will be of particular concern to low income residents of Saskatoon who rely on bicycles as a form of safe and affordable transportation.

Many researchers and commentators also point more anecdotally to the fact that the countries best known for high rates of cycling as a regular form of transportation, such as Denmark and the Netherlands, are jurisdictions where cycling infrastructure is prioritized and helmets have not been made mandatory. With all due respect to those holding contrary views, I believe that Ms. Melchiorre’s report strikes the right balance by recommending that helmet use be encouraged by the City rather than employing a punitive approach to helmet use by making it mandatory through an amendment to the 1988 Cycling Bylaw.

Allowing children to ride their bicycles on sidewalks

More recently, some controversy has arisen around the recommendation in Ms. Melchiorre’s report for children under 14 to be exempted from the existing blanket prohibition against riding bicycles on sidewalks. This proposed recommendation would bring Saskatoon’s bylaw in line with the recently revamped cycling bylaws in Calgary and Toronto where similar exemptions have been made for children under 14. An exemption for children should be common sense as forcing children to ride their bicycles on the road will also oblige them to follow the rules of the road at an age when they are not yet eligible to obtain a learner’s permit for driving.

Current research does suggest that cycling on sidewalks is objectively more dangerous than cycling in dedicated infrastructure like bike lanes or even on some roads shared with motor vehicles—namely those where no parked cars are present (see Meghan Winters et al, “Safe Cycling: How Do Risk Perceptions Compare With Observed Risk?” (2012) 103 *Can J Public Health* 42 [“Winters et al”]). However, this will not necessarily accord with the perceptions of cyclists, which will have a considerable impact on their compliance with a blanket ban. It appears that cyclists generally perceive separated routes as safest and will generally prefer routes (even sidewalks) that keep them away from motor vehicles when these are available (Winters et al).

While there may be very legitimate concerns over the risks to safety posed by people cycling on streets with high pedestrian activity like 20th Street, 2nd Ave, or Broadway, I would urge City Council to recognize these as exceptional and geographically unique examples rather than ones that are representative of the risk of pedestrian/cyclist conflicts on sidewalks elsewhere in the city. For example, City Council should consider the actual and perceived risks to safety for individuals who might be trying to make their way along 8th Street or College Drive by biking on the road alongside motor vehicles.

Area-specific sidewalk cycling prohibitions are possible. For example, sidewalk cycling is generally allowed in the State of Oregon (subject to certain rules) whereas the City of Portland in Oregon has implemented an area-specific prohibition against sidewalk cycling within the four corners of its downtown core. The 1988 Cycling Bylaw already designates certain roadways like Circle Drive where cycling is entirely prohibited so a similar approach could be feasible. However, this should not be pursued at the expense of other long overdue changes to the 1988 Cycling Bylaw.

In any event, it would come as a great surprise to hear that there is even anecdotal evidence of there being a problem specifically with children under 14 injuring pedestrians on the busiest sidewalks of our core neighbourhoods. And the fact that such accidents occasionally occur already in spite of an existing and long-standing prohibition against sidewalk cycling in the 1988 Cycling Bylaw demonstrates the practical limits to preventing this by bylaw alone, as opposed to providing more appropriate and desirable infrastructure options for those on bikes.

Increasing cycling safety is best accomplished by increasing safety in numbers

This brings me to a more general point. While amendments to the 1988 Cycling Bylaw are an important step in clarifying and regularizing the respective rights and duties of those commuting by bicycle and those commuting by motor vehicles, they do not promise a panacea. Existing research strongly suggests that the “safety in numbers effect” is the best guide for cities looking to improve cycling safety. If rules, infrastructure, and perceptions of risk lead to more residents commuting by motor vehicles instead of active transportation, this feeds a vicious circle in term of adding to road danger through increased traffic volume and congestion. This is borne out by the fact that bicycling injury rates are inversely proportionate to cycling mode share—that is to say, injury rates are significantly higher in places where cycling for transportation is less common (see John Pucher & Ralph Buehler, “Making Cycling Irresistible: Lessons from the Netherlands, Denmark and Germany” (2008) 28:4 *Transport Reviews* 495).

On the other hand, the safety in numbers effect suggests that a virtuous circle is also possible. Encouraging more people to cycle should reduce road danger and the risk of collisions with motor vehicles with bicycles (Beth Sonkin et al, “Walking, cycling and transport safety: an analysis of child road deaths” (2006) 99:4 *Journal of the Royal Society of Medicine* 402 at 405). Increasing residents’ uptake of cycling as a

form of transportation also brings with it a range of individual and public health benefits (see Pekka Oja et al, “Health benefits of cycling: a systematic review” (2011) 21:4 *Scand J Med Sci Sports* 496).

It is worth noting that by North American standards, Saskatoon has a relatively high proportion of residents who rely on bicycles as their main mode of commuting. According to data from the 2016 Census, 2% of Saskatoon residents rely on cycling as their main mode of transportation, which is a significantly greater proportion than the other prairie cities and the majority of similar sized cities elsewhere in Canada. For example, it is significantly higher than the mode shares for cycling in Regina (1.1%), Calgary (1.5%), Winnipeg (1.7%), Edmonton (1.0%), Halifax (1.0%), Windsor (1.0%) or London, Ontario (1.1%) (Statistics Canada, “Commuters using sustainable transportation in census metropolitan areas” (29 November 2017)).

Saskatoon also boasts a comparatively high Bike Score—a metric capturing environmental characteristics associated with cycling—in comparison to cities with higher current mode shares for cycling such as Victoria and Vancouver in British Columbia. This suggests that the city is particularly well-positioned to increase its cycling mode share in the future (Meghan Winters et al, “Bike Score®: Associations between urban bikeability and cycling behaviour in 24 cities” (2016) 13 *International Journal of Behavioural Nutrition and Physical Activity* 18).

And it should also be clear that our climate does not pose a barrier to increasing mode share and safety in numbers for cyclists in Saskatoon so long as appropriate and desirable infrastructure is provided. This can be seen by way of comparison with northern cities that have taken measures to encourage more cycling. For example, the city of Whitehorse, Yukon boasts a 3.2% mode share for cycling (City of Whitehorse, *Bicycle Network Plan 2018*). And the city of Oulu in northern Finland boasts a 33% cycling mode share during summer and a 9% mode share during winters (Cara Fisher, “Cycling Through Winter”(2014) *Plan Canada*).

In closing, I would like to once more encourage the members of City Council to accept the recommendations in Ms. Melchiorre’s report as reasonable, evidence-based, and common sense proposals for amendments to the 1988 Cycling Bylaw. And if the members of City Council are truly concerned about the safety of residents who choose to cycle, I would also encourage you to manifest these good intentions by investing in improvements to cycling infrastructure rather than punitive rules.

Thank you in advance for your consideration.

Sincerely,



Benjamin Ralston, BA, JD, LLM, PhD (candidate)

Thompson, Holly

From: Peter Gallen [REDACTED]
Sent: Saturday, November 16, 2019 1:37 PM
To: City Council
Subject: Form submission from: Write a Letter to Council
Attachments: citycouncil_frompetergallen.pdf

Submitted on Saturday, November 16, 2019 - 13:36

Submitted by anonymous user: 71.17.188.27

Submitted values are:

Date Saturday, November 16, 2019

To His Worship the Mayor and Members of City Council

First Name Peter

Last Name Gallen

Email [REDACTED]

Address [REDACTED] Haight Crescent

City SASKATOON

Province Saskatchewan

Postal Code [REDACTED]

Name of the organization or agency you are representing (if applicable)

Subject Agenda item 9.4.1: Transit Detour Process

Meeting (if known) Regular Council meeting, 18 November 2019

Comments

Since I already presented in person on this topic at SPCOT on 28 October 2019, I will not take up precious Council time again. I do, however, want to SUPPORT the motion before Council today, which was not unanimously supported at SPCOT (while the other two related motions were unanimously passed).

I would appreciate your attention to my comments in the attached document.

Thank you.

Attachments

[citycouncil_frompetergallen.pdf](#)

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349423>

Your Worship, City Councillors

Topic: Agenda item 9.4.1: Transit Detour Process

Since I already presented in person on this topic at SPCOT on 28 October 2019, I will not take up precious Council time again. I do, however, want to support the motion before Council today, which was not unanimously supported in SPCOT:

- The Motion before Council today instructs Administration to continue the practice of posting ON-SITE detour notices for transit riders, while simultaneously continuing the effort to improve the system of timely electronic alerts. Regardless of the outcome of this motion, barricades and notices will continue to be put in place on site to detour other road users. Equitable treatment of all road users requires that the same courtesy and service be extended to transit riders as well – especially since many transit riders are not reached by electronic alerts by cell-phone at this time.

FYI, I want also to point out that two related motions were already passed at SPCOT and are thus not before Council today.

- Two motions were passed unanimously at SPCOT, asking Administration to streamline its detour procedures among various City departments in order to save taxpayers money, while making the on-site experience more useful for all road users, including transit riders. Since personnel who are on site (often City staff or their contractors) already put up barricades and post detour notices for motorists, cyclists and pedestrians, they could, at the same time and at less cost to the city, also put up detour notices and temporary bus stop signs to serve transit riders. When dismantling the detour, staff on site could also remove all temporary structures and notices, including those put up for transit.

All three motions are important and the remaining motion, which is before Council today, also needs to be passed to provide efficient, equitable information to all users of the street in a fiscally responsible manner when there are disruptions due to construction or other city activities (e.g., parades).

Sincerely,

Peter Gallén

Thompson, Holly

From: Randy Pshebylo <randy@riversdale.ca>
Sent: Monday, November 18, 2019 7:45 AM
To: City Council
Subject: Form submission from: Write a Letter to Council

Submitted on Monday, November 18, 2019 - 07:44

Submitted by anonymous user: 174.2.249.79

Submitted values are:

Date Monday, November 18, 2019
To His Worship the Mayor and Members of City Council
First Name Randy
Last Name Pshebylo
Email randy@riversdale.ca
Address 344 20th Street West
City Saskatoon
Province Saskatchewan
Postal Code S7M 0X2
Name of the organization or agency you are representing (if applicable) Riversdale Business Improvement District
Subject Bicycle Bylaw Update
Meeting (if known) City Council Meeting Monday, November 18, 2019
Comments
The Executive Director of the Riversdale Business Improvement District respectfully requests to speak to item 10.1.1 Bicycle Bylaw Update - Proposed Revisions [Files CK 5300-5-2, x6000-5] at the City Council Meeting Monday, November 18, 2019.

Attachments

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349526>

From: Web E-mail - City Clerks
Sent: Monday, November 18, 2019 10:11 AM
To: Sproule, Joanne; Thompson, Holly
Subject: FW: Motion to allow some bicycles on city sidewalks

-----Original Message-----

From: Brian Smith [mailto:]
Sent: Sunday, November 17, 2019 12:12 PM
To: Web E-mail - City Clerks <City.Clerks@Saskatoon.ca>
Subject: Motion to allow some bicycles on city sidewalks

Submitted on Sunday, November 17, 2019 - 12:12
Submitted by user: Anonymous
Submitted values are:

==Your Message==

Service category: City Council, Boards & Committees
Account Number:
Subject: Motion to allow some bicycles on city sidewalks
Message:

I strongly urge City council to consider an easy-to-overlook aspect that I and others are greatly concerned about with respect to the possible allowance of cyclists to age 14 and inclusive permission to ride on the sidewalks. The group of sidewalk users I am referring to are people with diminished or complete hearing loss. Bells or shout-outs as cyclists approach do not work. In my opinion sidewalks should be the safe walking zone of pedestrians—and pedestrians only.

Thank you for your thoughtful consideration as you make your decision.

Brian Smith
Attachment:

==Your Details==

First Name: Brian
Last Name: Smith
Email: [REDACTED]
Confirm Email: [REDACTED]
Neighbourhood where you live: Buena Vista
Phone Number: [REDACTED]

For internal use only :

Bryant, Shellie

From: Zink, Laura <laura.zink@usask.ca>
Sent: November 17, 2019 6:58 PM
To: Bryant, Shellie
Cc: Willems, Dan
Subject: Re: Form submission from: Write a Letter to Council

Hi Shellie.

Yes – I would like to speak to item 10.6.2 regarding the request to appoint a councillor to the Research Junction selection.

Thank you.

Laura

From: "Bryant, Shellie" <Shellie.Bryant@Saskatoon.ca>
Date: Friday, November 15, 2019 at 1:54 PM
To: Laura Zink <laura.zink@usask.ca>
Subject: RE: Form submission from: Write a Letter to Council

CAUTION: This email originated from outside of the University of Saskatchewan. Do not click links or open attachments unless you recognize the sender and know the content is safe. If in doubt, please forward suspicious emails to phishing@usask.ca

Hi Laura. Are you wanting to speak to Council on Monday regarding the request for appointment of a Councillor? Your email is not clear to me.

Shellie Bryant | tel 306-975-2880

Deputy City Clerk, City Clerk's Office
City of Saskatoon | 222 3rd Avenue North | Saskatoon, SK S7K 0J5
shellie.bryant@saskatoon.ca
www.saskatoon.ca

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*If you receive this email in error, please do not review, distribute or copy the information.
Please contact the sender and delete the message and any attachments.*

From: Laura Zink [mailto:laura.zink@usask.ca]
Sent: November 15, 2019 1:30 PM
To: City Council <City.Council@Saskatoon.ca>
Subject: Form submission from: Write a Letter to Council

Submitted on Friday, November 15, 2019 - 13:29

Submitted by anonymous user: 128.233.5.176

Submitted values are:

Date Friday, November 15, 2019

To His Worship the Mayor and Members of City Council

First Name Laura

Last Name Zink

Email laura.zink@usask.ca

Address 1607-110 Gymnasium Place

City Saskatoon

Province Saskatchewan

Postal Code S7N 0W9

Name of the organization or agency you are representing (if applicable) University of Saskatchewan

Subject Research Junction - Research Connections

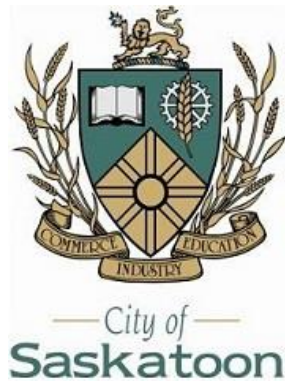
Meeting (if known)

Comments Council

Attachments

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349325>



MINUTES

REGULAR BUSINESS MEETING OF CITY COUNCIL

**Monday, October 28, 2019, 1:00 p.m.
Council Chamber, City Hall**

- PRESENT:**
- Deputy Mayor S. Gersher, in the Chair
 - Councillor C. Block, via teleconference
 - Councillor T. Davies
 - Councillor R. Donauer
 - Councillor B. Dubois
 - Councillor H. Gough
 - Councillor D. Hill, via teleconference
 - Councillor Z. Jeffries, via teleconference
 - Councillor M. Loewen
- ABSENT:**
- His Worship, Mayor C. Clark
 - Councillor A. Iwanchuk
- ALSO PRESENT:**
- City Manager J. Jorgenson, at 1:15 p.m.
 - City Solicitor C. Yelland
 - General Manager, Community Services L. Lacroix
 - Interim Chief Financial Officer, Corporate Financial Services C. Hack
 - General Manager, Transportation & Construction T. Schmidt
 - General Manager, Utilities & Environment A. Gardiner
 - City Clerk J. Sproule
 - Deputy City Clerk S. Bryant

1. NATIONAL ANTHEM AND CALL TO ORDER

The National Anthem was played and Deputy Mayor Gersher called the meeting to order on Treaty 6 Territory and the Homeland of the Metis People.

She noted that Mayor Clark is away attending the Mayor's Innovation Studio in Washington and Councillor Iwanchuk is absent due to the passing of her father.

2. CONFIRMATION OF AGENDA

Moved By: Councillor Donauer

Seconded By: Councillor Dubois

1. That City Council suspend the rules of having electronic participation of members limited to emergencies for this meeting to permit Councillor Hill, Councillor Block and Councillor Jeffries the option to attend the meeting, or a portion of, via teleconference;
2. That the following letters be added to Item 9.4.1:
 1. Requests to Speak:
 1. Louise Jones, Northeast Swale Watchers (comments included)
 2. Patricia Albers (comments included)
 3. Jan Norris
 4. Abhinav Menon, students from John G. Egnatoff school
 5. Max Abraham, Saskatchewan Environmental Society
 6. Marcus Comfort
 7. Joanne Blythe, Wild About Saskatoon (comments included and will have a PowerPoint)
 8. Andrew Shaw, NSBA
 2. Submitting Comments:
 1. Lauren Wright
 2. Penny McKinlay
 3. Sarah Foley
 4. Megan Van Buskirk, Saskatchewan Environmental Society (providing a letter submitted to the Minister of Highways and Infrastructure)

5. Meghan Mickelson, Endangered Grasslands Alliance
6. Sara Bryson, Saskatoon Nature Society
3. That the following letters be added to Item 14.1:
 1. Request to Speak:
 1. Brad Bourhis (comments submitted)
 2. Joel Hall (comments submitted)
 2. Submitting Comments:
 1. Don Nesbitt
4. That the items with speakers be considered immediately following consideration of the Consent Agenda in the following order:
 1. Item 9.4.1
 1. Warrick Baijius
 2. Louise Jones, Northeast Swale Watchers (comments included)
 3. Patricia Albers (comments included)
 4. Jan Norris
 5. Abhinav Menon, students from John G. Egnatoff school
 6. Max Abraham, Saskatchewan Environmental Society
 7. Marcus Comfort
 8. Joanne Blythe, Wild About Saskatoon (comments included and will have a PowerPoint)
 9. Andrew Shaw, NSBA
 2. Item 14.1:
 1. Brad Bourhis (comments submitted)
 2. Joel Hall (comments submitted)
5. That the agenda be confirmed as amended.

In Favour: (9): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Mayor C. Clark and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

3. DECLARATION OF CONFLICT OF INTEREST

There were no declarations of conflict of interest.

4. ADOPTION OF MINUTES

Moved By: Councillor Dubois

Seconded By: Councillor Donauer

That the minutes of the Regular Business Meeting of City Council held on September 30, 2019, be adopted.

In Favour: (9): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Mayor C. Clark and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

5. PUBLIC ACKNOWLEDGMENTS

5.1 Deputy Mayor S. Gersher - Congratulations - Newly Elected Members of Parliament

Deputy Mayor Gersher congratulated the newly elected Members of Parliament in Saskatoon in the recent Federal Election and thanked all Members for their work.

5.2 Deputy Mayor S. Gersher - Acknowledgement - Wicihitowin Conference

Deputy Mayor Gersher acknowledged the 5th Annual Wicihitowin Conference and expressed appreciation for the civic staff that was involved.

5.3 Deputy Mayor S. Gersher - Acknowledgement - Agreement with the Saskatoon Tribal Council

Deputy Mayor Gersher acknowledged that the City entered into an agreement with the Saskatoon Tribal Council.

5.4 Deputy Mayor S. Gersher - Signing Ceremony - Kahkewistaha First Nation Urban Reserve

Deputy Mayor Gersher acknowledged the signing ceremony that was recently held in the Council Chamber and expressed appreciation to the Chief and Council on this important investment.

5.5 Councillor H. Gough - 100th Anniversary - St. Mary's Parish

Councillor Gough acknowledged that St. Mary's Parish recently held its 100th Anniversary celebration, recognizing that Mr. William Riley was in attendance and was the longest serving parishioner of 91 years.

5.6 Councillor B. Dubois - 100th Birthday - Mr. Paul Kuzak

Councillor Dubois acknowledged the 100th Birthday of Mr. Paul Kuzak.

6. UNFINISHED BUSINESS

7. QUESTION PERIOD

8. CONSENT AGENDA

The following items were removed from the Consent Agenda: Items 8.1.3, 8.4.1 and 8.5.2.

Moved By: Councillor Dubois

Seconded By: Councillor Donauer

That the Committee recommendations contained in Items 8.1.1; 8.1.2; 8.1.3; 8.2.1; 8.3.1; 8.4.2; 8.5.1 and 8.5.3 be adopted as one motion.

In Favour: (8): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Jeffries, and Councillor Loewen

Absent: (3): Mayor C. Clark, Councillor Hill and Councillor Iwanchuk

CARRIED UNANIMOUSLY (8 to 0)

Item 9.4.1 was considered next.

8.1 Standing Policy Committee on Planning, Development & Community Services

8.1.1 Civic Naming Committee Report – Third Quarter 2019 [File No. CK. 6310-1]

That the report of the General Manager, Community Services Department dated October 1, 2019 be received as information.

CARRIED UNANIMOUSLY

8.1.2 Bylaw No. 6583 – The Plumbing Permits Bylaw Update [File No. CK 313-1 and PL 313-2]

1. That proposed changes to Bylaw No. 6583, The Plumbing Permits Bylaw, as outlined in the October 15, 2019 report of the General Manager, Community Services Department, be approved; and
2. That the City Solicitor be requested to prepare the necessary revisions to Bylaw No. 6583, The Plumbing Permits Bylaw.

CARRIED UNANIMOUSLY

8.1.3 Street Activity Subcommittee – Terms of Reference and Community Support Program Update [File No. CK 225-74 and PL 5400-125-4]

This item was removed from the Consent Agenda.

Moved By: Councillor Gough

Seconded By: Councillor Hill

1. That the Terms of Reference, provided with the October 15, 2019 report of the General Manager, Community Services Department, for the Street Activity Subcommittee be accepted;
2. That Administration report to City Council, through the Standing Policy Committee on Planning, Development and Community Services, on the outcome of current discussions on the future of and alternate forms of funding for the Community Support Program, by the end of December 2020; and
3. That the Administration proceed as required to populate the Street Activity Subcommittee for 2020.

In Favour: (8): Deputy Mayor Gersher, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (3): Mayor C. Clark, Councillor Block, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (8 to 0)

8.2 Standing Policy Committee on Finance

8.2.1 Neighbourhood Land Development Fund Allocation of Profits [File No. CK. 1820-1 x 1702-1]

1. That \$800,000 in profits be declared from the Neighbourhood Land Development Fund; and
2. That \$800,000 in profits from the Neighbourhood Land Development Fund be allocated to the Affordable Housing Reserve with \$400,000 in the year 2020 and \$400,000 in the year 2021.

CARRIED UNANIMOUSLY

8.3 Standing Policy Committee on Environment, Utilities & Corporate Services

8.3.1 Reseller Rate for Regional Customers of Saskatoon Water [File No. CK. 7781-1]

1. That Option 2: Phased Reseller Rate Transition (Rate Freeze) be included in the 2020/2021 Water, Wastewater and Infrastructure rates; and
2. That the Administration negotiate directly with the municipalities and water utilities currently receiving water from the City to pay a fee upon connection comparable to the water off-site fees paid in Saskatoon.

CARRIED UNANIMOUSLY

8.4 Standing Policy Committee Transportation

8.4.2 Street Network Planning Principles and Street Hierarchy [Files CK 6330-1 and TS 6330-1]

That the use of the street classification system and street network plans, as outlined in the report of the General Manager, Transportation & Construction dated October 7, 2019, be approved.

CARRIED UNANIMOUSLY

8.4.1 Riversdale Neighbourhood Traffic Review - Follow-up [File No. CK 6320-1]

This item was removed from the Consent Agenda.

Councillor Block returned to the meeting via teleconference during consideration of this item.

Moved By: Councillor Dubois

Seconded By: Councillor Hill

That the report of the General Manager, Transportation & Construction dated October 7, 2019 be received as information.

In Favour: (7): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Hill, and Councillor Jeffries

Against: (2): Councillor Gough and Councillor Loewen

Absent: (2): Mayor C. Clark and Councillor Iwanchuk

CARRIED (7 to 2)

Moved By: Councillor Gough

Seconded By: Councillor Davies

That the Administration recirculate the letter/survey regarding the southbound directional closure of 200 block Ave F South, working with the Ward Councillor and City Community Engagement team to support a more representative response rate.

In Favour: (8): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Jeffries, and Councillor Loewen

Against: (1): Councillor Hill

Absent: (2): Mayor C. Clark and Councillor Iwanchuk

CARRIED (8 to 1)

8.5 Governance and Priorities Committee

8.5.1 City Council Strategic Planning and Leadership Initiative – Strategic Priority Fund Application (File No. CK. 116-0 x 116-1)

That Councillors Loewen and Gersher be approved for up to \$4,350 from the Strategic Priority Fund for the project as presented in the attached and report back to the Governance and Priorities Committee in writing following the event outlining the results of the engagement.

CARRIED UNANIMOUSLY

8.5.2 Review of The Saskatoon Municipal Review Commission Bylaw, 2014 (File No. CK. 255-18)

This item was removed from the Consent Agenda.

Moved By: Councillor Gough

Seconded By: Councillor Donauer

That the City Solicitor be directed to amend Bylaw No. 9242, *The Saskatoon Municipal Review Commission Bylaw, 2014*, to:

1. Require the Municipal Elections Committee to report on or before December 31, 2021 and every four years following on or before December 31;
2. Require the Remuneration Committee to report on or before December 31, 2022 and every four years following on or before December 31;
3. Require the Code of Conduct Committee to report on or before December 31, 2023 and every four years following on or before December 31; and
4. Indicate City Council's ability to amend the established schedules of reporting, either at the request of the Municipal Review Commission, or on its own motion, to accommodate unforeseen circumstances.

In Favour: (9): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Mayor C. Clark, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

**8.5.3 Appointment – Firefighters’ Pension Fund Trustees (Original)
(File No. CK. 175-17)**

That Ms. Kari Smith be appointed a Trustee of the Firefighters’ Pension Fund effective November 5, 2019.

CARRIED UNANIMOUSLY

9. COMMITTEE REPORTS

9.1 Standing Policy Committee on Planning, Development & Community Services

9.2 Standing Policy Committee on Finance

9.3 Standing Policy Committee on Environment, Utilities & Corporate Services

9.4 Standing Policy Committee Transportation

9.4.1 Saskatoon Freeway Project Update – October 2019 [File No. CK 6000-1 x 4205-40]

The following letters were provided:

1. Requests to Speak:
 1. Warrick Baijius
 2. Louise Jones, Northeast Swale Watchers (comments included)
 3. Patricia Albers (comments included)
 4. Jan Norris
 5. Abhinav Menon, students from John G. Egnatoff school
 6. Max Abraham, Saskatchewan Environmental Society
 7. Marcus Comfort

8. Joanne Blythe, Wild About Saskatoon (comments included and PowerPoint)
9. Andrew Shaw, NSBA
2. Submitting Comments:
 1. Lauren Wright
 2. Penny McKinlay
 3. Sarah Foley
 4. Megan Van Buskirk, Saskatchewan Environmental Society (providing a letter submitted to the Minister of Highways and Infrastructure)
 5. Meghan Mickelson, Endangered Grasslands Alliance
 6. Sara Bryson, Saskatoon Nature Society

Director of Transportation Magus provided a PowerPoint.

Council heard from the following speakers:

1. Warrick Baijius, including a PowerPoint
2. Louise Jones, Northeast Swale Watchers
3. Keith Bell on behalf of Patricia Albers and Silverspring residents
4. Jan Norris, including a copy of her presentation
5. Students from John G. Egnatoff school
6. Max Abraham, Saskatchewan Environmental Society
7. Marcus Comfort
8. Joanne Blythe and Candace Savage, Wild About Saskatoon, including a PowerPoint
9. Andrew Shaw, NSBA

Moved By: Councillor Donauer

Seconded By: Councillor Dubois

That the report of the General Manager, Transportation & Construction dated October 7, 2019 be received as information.

In Favour: (9): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Mayor C. Clark, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

Item 14.1 was considered next.

9.5 Governance and Priorities Committee

10. ADMINISTRATIVE REPORTS

10.1 Transportation & Construction

10.2 Utilities & Environment

10.3 Community Services

10.4 Saskatoon Fire

10.5 Corporate Financial Services

10.6 Strategy & Transformation

10.7 Human Resources

10.7.1 2017 Contract Negotiations (2017 – 2020) - International Association of Fire Fighters (IAFF), Local No. 80 [File No. CK. 4720-7]

Director of Labour Relations McInnes presented the report.

Moved By: Councillor Donauer

Seconded By: Councillor Dubois

1. That the proposed changes set out in the Revision to the Collective Agreement (Attachment 1) with respect to the 2014 – 2016 Collective Agreement with the International Association of Fire Fighters, Local No. 80 be approved; and
2. That His Worship the Mayor and the City Clerk be authorized to execute the revised contract under the Corporate Seal.

In Favour: (9): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Iwanchuk, Councillor Jeffries, and Councillor Loewen

Absent: (2): Mayor C. Clark, and Councillor Hill

CARRIED UNANIMOUSLY (9 to 0)

10.8 Public Policy & Government Relations

11. LEGISLATIVE REPORTS

11.1 Office of the City Clerk

11.2 Office of the City Solicitor

11.2.1 Downtown Saskatoon – Board Composition and Request for Temporary Exception - Proposed Bylaw No. 9652 [File No. CK. 1680-1]

City Solicitor Yelland presented the report.

Moved By: Councillor Gough

Seconded By: Councillor Dubois

That permission be granted to introduce Bylaw No. 9652, *The Downtown Business Improvement District Board Exemption Bylaw, 2019*, and give same its FIRST reading.

In Favour: (9): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Mayor C. Clark and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

Moved By: Councillor Gough

Seconded By: Councillor Dubois

That Bylaw No. 9652 now be read a SECOND time.

In Favour: (9): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Mayor C. Clark and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

Moved By: Councillor Gough

Seconded By: Councillor Donauer

That permission be granted to have Bylaw No. 9652 read a third time at this meeting.

In Favour: (9): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Mayor C. Clark and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

Moved By: Councillor Gough

Seconded By: Councillor Dubois

That Bylaw No. 9652 now be read a THIRD time, that the bylaw be passed and the Deputy Mayor and the City Clerk be authorized to sign same and attach the corporate seal thereto.

In Favour: (9): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Mayor C. Clark and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

11.2.2 Approaches for Addressing Existing and Emerging Protocol Issues [File No. CK. 205-0]

City Solicitor Yelland presented the report.

Moved By: Councillor Donauer

Seconded By: Councillor Davies

That City Council:

1. Repeal Policy No. C01-004, *Proclamations*; and
2. Adopt *The Flag and Proclamations Policy* attached to this report as Appendix 1.

In Favour: (9): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Mayor C. Clark and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

12. OTHER REPORTS

12.1 Municipal Wards Commission - Establishment of Municipal Ward Boundaries [File No. CK. 265-2]

A report of the Municipal Wards Commission, dated October 28, 2019 was provided.

City Clerk Sproule presented the report.

Moved By: Councillor Donauer

Seconded By: Councillor Dubois

That the information be received.

In Favour: (9): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Mayor C. Clark and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

13. INQUIRIES

14. MOTIONS (NOTICE PREVIOUSLY GIVEN)

14.1 Councillor R. Donauer - Possible Changes to Walkway Policy

The City Clerk reported that Councillor R. Donauer provided the following notice of motion at the Regular Business Meeting of City Council held on September 30, 2019.

"That the Administration report on possible changes to our walkway policy that addresses maintenance, graffiti, vandalism, crime and enhancing the overall feeling of safety in our neighbourhoods."

The following letters were provided:

1. Request to Speak:

1. Brad Bourhis (comments submitted)
2. Joel Hall (comments submitted)

Submitting Comments:

3. Don Nesbitt

Deputy Mayor Gersher ascertained that Mr. Bourhis was not present in the gallery.

Mr. Joel Hall addressed Council regarding the issues with respect to the walkway adjacent to his property.

Moved By: Councillor Donauer

Seconded By: Councillor Davies

That the Administration report in the first quarter of 2020 on possible changes to our walkway policy or other policies that addresses maintenance, graffiti, vandalism, crime and enhancing the overall feeling of safety in our neighbourhoods including the data of all existing files.

In Favour: (9): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Mayor C. Clark and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

The meeting was recessed at 3:26 p.m. and reconvened at 3:42 p.m. with all members of Council present with the exception of Mayor Clark, Councillor Iwanchuk and Councillor Block.

Council returned to the items removed from the Consent Agenda (beginning with 8.1.3) and the remainder of the items not considered on the regular agenda.

14.2 Councillor B. Dubois - Implementation of Non-Disclosure Agreements for Stakeholders

The City Clerk reported that Councillor B. Dubois provided the following notice of motion at the Regular Business Meeting of City Council held on September 30, 2019.

"WHEREAS the City of Saskatoon regularly consults with stakeholders and stakeholder groups on the development of policies, programs, and services;

WHEREAS during the consultation process, the Administration shares documents with the stakeholders and stakeholder groups to obtain their feedback on options and potential recommendations;

WHEREAS it is alleged that a stakeholder or stakeholder group may have recently shared draft consultation documents with the media;

WHEREAS at its July 29, 2019 Regular Business Meeting, City Council adopted a Public Engagement Policy.

WHEREAS the Public Engagement Policy sets out the objectives, standards, and responsibilities for public engagement in Saskatoon.

NOW THEREFORE BE IT RESOLVED that the Administration review the terms of reference for any formal stakeholder groups used by the City to ensure that they contain appropriate provisions for the protection of consultation documents; and

BE IT FURTHER RESOLVED that the Administration, where possible and necessary, implement non-disclosure provisions in the terms of reference for stakeholder groups, or establish a non-disclosure agreement with stakeholders who receive consultation documents from the City."

Moved By: Councillor Dubois

Seconded By: Councillor Donauer

That the Administration provide a report on:

1. A review the terms of reference for any formal stakeholder groups used by the City to ensure that they contain appropriate provisions for the protection of consultation documents; and
2. Where possible and necessary, implementation of non-disclosure provisions in the terms of reference for stakeholder groups, or establishment of a non-disclosure agreement with stakeholders who receive consultation documents from the City.

In Favour: (9): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Mayor C. Clark and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

15. GIVING NOTICE

16. URGENT BUSINESS

17. IN CAMERA SESSION

Moved By: Councillor Donauer

Seconded By: Councillor Dubois

That Council move *In Camera* to consider the following item.

In Favour: (9): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Mayor C. Clark and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

17.1 Verbal Update – Personnel Subcommittee [File No. CK. 225-81]

Members of the Administration were excused from the meeting.

18. Rise and Report

City Council convened *In Camera* at 4:42 p.m.

City Council moved to rise and report at 5:10 p.m. and reconvened publicly immediately thereafter.

City Council reports as follows:

While in Camera, the Committee supported extension of the meeting beyond 5:00 p.m. to no later than 5:30 p.m.

Agenda Item 17.1 Verbal Update – Personnel Subcommittee

Moved By: Councillor Gough

Seconded By: Councillor Donauer

That the hour of the meeting be extended beyond 5:00 p.m. to no later than 5:30 p.m.

In Favour: (9): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Mayor C. Clark and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

Moved By: Councillor Gough

Seconded By: Councillor Donauer

That the information and discussion be received and remain *In Camera* under sections 16(1)(d) and 28 of *LAFOIPP*.

In Favour: (9): Deputy Mayor Gersher, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Mayor C. Clark and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

19. ADJOURNMENT

The Regular Business Meeting adjourned at 5:12 p.m.

Deputy Mayor

City Clerk



STANDING POLICY COMMITTEE ON PLANNING, DEVELOPMENT AND COMMUNITY SERVICES

Diversity, Equity and Inclusion Advisory Committee – Feedback - Civic Naming Committee - Engagement and Inclusion in the Naming Process

Recommendation of the Committee

That the Civic Naming Committee provide twice annual reports to the Diversity, Equity and Inclusion Advisory Committee for feedback with particular reporting on diversity in naming progress and opportunities for support.

History

At the November 5, 2019 Standing Policy Committee on Planning, Development and Community Services meeting a letter from the Diversity Equity and Inclusion Advisory Committee, dated October 15, 2019 was considered.

Your Committee was informed that it would be beneficial for the Diversity, Equity & Inclusion Advisory Committee receive a follow-up report two times a year in order to provide the opportunity to have an on-going discussion on how to support the naming process, as well as on-going support with partnerships. Diversity, Equity and Inclusion Advisory Committee also suggested to offer the naming process to schools to engage youth and allow them an opportunity to commemorate a teacher.

Your Committee is recommending that the Civic Naming Committee provide twice annual reports to the Diversity, Equity and Inclusion Advisory Committee for feedback with particular reporting on diversity in naming progress and opportunities for support.

Attachment

October 15, 2019 Letter of the Diversity, Equity and Inclusion Advisory Committee

October 15, 2019

Shellie Bryant, Secretary
Standing Policy Committee on Planning, Development & Community Services

Dear Ms. Bryant:

**Re: Civic Naming Committee - Engagement and Inclusion in the Naming
Process
(File No. CK. 6310-0)**

At its meeting held on June 11, 2019, the Standing Policy Committee on Planning, Development and Community Services considered a report of the General Manager, Community Services Department dated May 13, 2019, and resolved, in part, that the report be forwarded to the Diversity, Equity and Inclusion Advisory Committee for feedback and the Administration provide a presentation to the Committee on the matter.

At its meeting held on September 12, 2019 the Diversity, Equity & Inclusion Advisory Committee reviewed the report along with the presentation from the Administration. The following summary of the Committee's discussion is provided:

- It would be beneficial for the Diversity, Equity & Inclusion Advisory Committee to receive a follow-up report perhaps two times a year in order to provide opportunity for the Committee to have an on-going discussion on how to support the naming process, as well as on-going support with partnerships.
- It was suggested to offer the naming process to schools to engage youth and allow them an opportunity to commemorate a teacher.

Thank you for the opportunity to provide feedback on this matter.

Yours truly,



for **Namarta Kochar, A/Chair**
Diversity, Equity & Inclusion Advisory Committee

:jf

cc: C. Sicotte, Chair



STANDING POLICY COMMITTEE ON PLANNING, DEVELOPMENT AND COMMUNITY SERVICES

Commercial Building Permit Program – Proposed Fee Changes

Recommendation of the Committee

That the proposed fee changes and policy changes for the Commercial Building Permit Program be forwarded for consideration by City Council at the 2020/2021 Budget Deliberations.

History

At the November 5, 2019 Standing Policy Committee on Planning, Development and Community Services meeting a report of the General Manager, Community Services Department dated November 5, 2019 was considered. Your Committee received a presentation from Ms. Chris Guerette, CEP, Saskatoon & Region Home Builders' Association on the matter. She provided your Committee with the Saskatoon & Region Home Builders' Association Third Quarter Report – Economic Overview and New Housing Market Analysis.

Attachment

1. November 5, 2019 report of the General Manager, Community Services Department
2. Saskatoon & Region Home Builders; Association Third Quarter Report – Economic Overview and New Housing Market Analysis.

Commercial Building Permit Program - Proposed Fee Changes

ISSUE

The Administration is proposing changes to the fees for commercial building permits in order to support the goal of being a national leader in building and development permit turnaround times.

City Council will consider a report to adjust fees for commercial building permits, as part of the proposed 2020/2021 Budget Deliberations.

RECOMMENDATION

That the Standing Policy Committee on Planning, Development and Community Services recommend to City Council that the proposed fee changes and policy changes for the Commercial Building Permit Program be forwarded for consideration by City Council at the 2020/2021 Budget Deliberations.

BACKGROUND

The Building Standards Division and Planning and Development Division conducted a Building and Development Operational Review in 2018. The goal of the review was to identify methods to establish the City of Saskatoon (City) of as a national leader in building and development permit turnaround times. The goal of making such improvements is to create faster, timelier reviews, improved service and communications during the review process, assistance with problem-solving and alternative solutions, and overall streamlined operations. Results of the Operational Review were presented to the Standing Policy Committee on Planning, Development and Community Services on August 12, 2019.

Building Standards is funded 100% through revenues generated from associated programs and services offered. The program is also supported by the Building and Inspection Permit Stabilization Reserve, which was established to offset any deficits in the division's operations due to revenue shortfalls from the decline in the number and/or type of building permits issued and unexpected program expenditures.

Commercial building permit fees were last increased in 2014.

DISCUSSION/ANALYSIS

Service Level Improvements

A continuous improvement project was formally started in July 2019 in order to achieve a new service level of 2 to 5 weeks for the review of typical commercial permits by December 31, 2020 for commercial permits. This would represent up to a 50% improvement in performance. Target service levels are provided in Appendix 1.

Over the next 12 months, industry can expect implementation of the following key improvements:

1. **Electronic Plan Review** – to change the linear permit application review process to cut-down permit turnaround time by up to 50% for the typical commercial permit project;
2. **Online Submission of Permit Applications** – to improve the application process by clearly defining the submission requirements for each project type, implementing a permit tracking and status update feature and accepting online payment. The work in this area will build on the success of the new process for Residential Building Permits, introduced in January 2018; and
3. **Improved Customer Service and Process Transparency** – to improve the way we deliver service to customers at the front-end of the permitting process and implementation. Included in this initiative is the Commercial Complete Application Project, which will reduce the time spent on collecting missing application information.

The first phase of improvements was rolled out October 1, 2019 with the introduction of Commercial Complete Applications. Customers can expect up to a 3-week reduction in commercial review time associated with their permit application.

Commercial Fee Review

To become a national leader, changes are needed to processes, technology and staffing levels that support the commercial building and development permit program. A review of the commercial building permit fees, based on planned program improvements, established program cost recovery objectives and financially sustainable reserve practices was completed.

Findings of the review indicate fee increases are needed to achieve targeted service level improvements. Funding from the Building and Inspection Permit Stabilization Reserve is available to complete the 2020 improvements. Fee increases are proposed beginning in 2021 and 2022 to support the program cost recovery objectives and long-term sustainability of the Reserve. The recommended commercial fee increases are outlined below in Table 1.

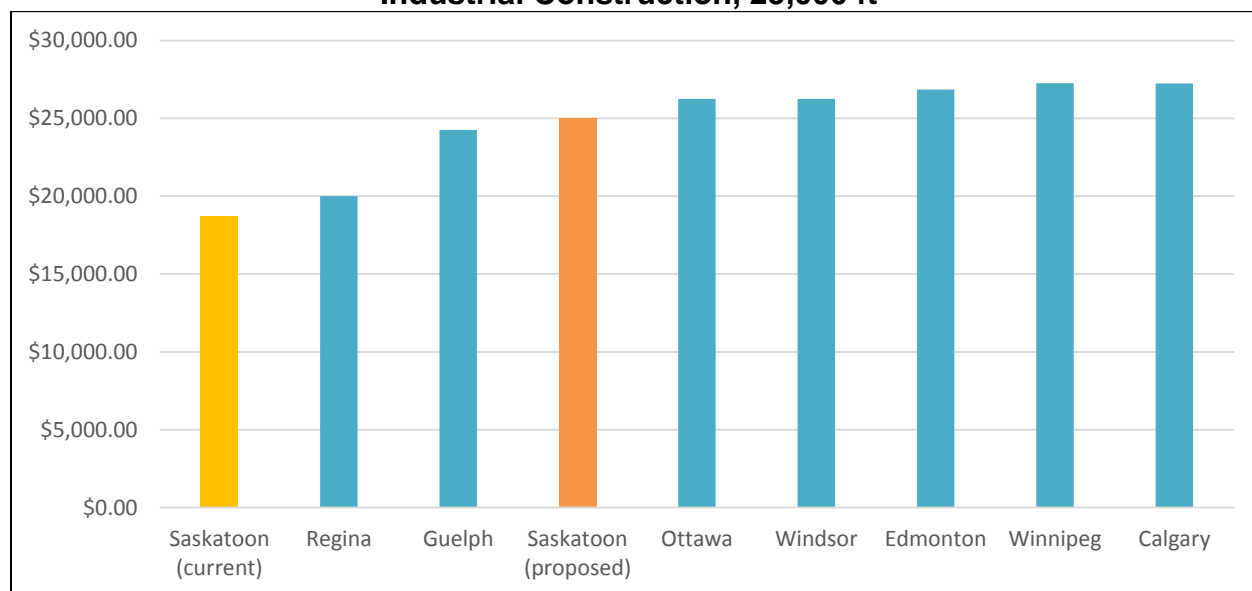
Table 1 – Recommended Commercial Building Permit Fee Increases

	2019 Rate	Proposed 2020 Rate	Proposed 2021 Rate	Proposed 2022 Rate
Commercial Building Permit				
Cost per \$1,000 of Construction Value	\$7.50	\$7.50	\$10.00	\$10.50

Commercial Building Permit Program - Proposed Fee Changes

Saskatoon's commercial building permit fees are currently below the industry average when compared to peer municipalities surveyed across Canada. The net impact of the recommended fee increases will support the goal of being a national leader and support the cost recovery objectives associated with the commercial building permit program. The proposed fees would be on par with the industry average when compared to other municipalities surveyed, as demonstrated in the graph below:

**Building Permit Fee Comparison - ICI \$2.5 Million
Industrial Construction, 25,000 ft²**



Stakeholder Engagement Has Occurred

Engagement with the development industry on the proposed fee increases and service level improvements occurred from August to October 2019. This included conversations with The Saskatoon & Region Home Builders' Association, Saskatoon Construction Association, Association of Professional Engineers and Geoscientists of Saskatchewan, Association of Consulting Engineering Companies - Saskatchewan, Saskatchewan Association of Architects, Saskatoon and Region Association of Realtors, North Saskatoon Business Association, SREDA, and the Developers Liaison Committee.

While the industry recognizes process improvements are already underway and that fee increases will be necessary to achieve the goal of being leaders in this area, there was feedback on allowing industry time to appropriately prepare and to allow the improvements to be implemented in advance of a fee increase. As a result, timing of the proposed fee changes was adjusted to be phased in over two years, beginning in 2021, after the improvements are implemented.

IMPLICATIONS

An amendment to Bylaw No. 9455 – Building Bylaw, 2017 (Building Bylaw) is required to support implementation of the proposed fee changes.

Financial Implications

Based on the proposed fees, the Building Permit Program revenue for 2020 will reflect the current industry trends and will be a decrease over 2019 of \$532,900. In 2021, with the fee increase, revenues will increase by \$1,248,500 and, the anticipated draw on the Plan Review and Inspection Service Stabilization Reserve will be \$1,264,900 in 2020 and \$174,600 in 2021, resulting in a projected reserve balance of \$2,844,000 at the end of 2021.

The impact of not changing the fees will result in the program continuing to be subsidized by the stabilization reserve. According to the projected permit volumes, if the proposed fee increases are not implemented and the current fee structure remains, it is anticipated that the reserve balance will decrease to \$524,900 by December 31, 2022, and is projected to be fully depleted in 2023.

NEXT STEPS

City Council will consider a report to adjust fees for commercial building permits, as part of the proposed 2020/2021 Budget Deliberations. Should City Council approve the fee adjustments during Budget Deliberations, amendments to the Building Bylaw will be undertaken.

Confirmation of the fee changes would be provided to the key stakeholders directly. In addition, all marketing material and application forms would be updated and a notice will be placed on the City's website.

APPENDICES

1. Building and Development Permit Application Target Turnaround Times

REPORT APPROVAL

Written by: Kara Fagnou, Director Building Standards

Approved by: Lynne Lacroix, General Manager, Community Services

SP/2019/PL/Admin Report - Commercial Building Permit Program - Proposed Fee Changes.docx/gs

Building Standards Permit Application Target Turnaround Times

September 30 2019

October 1 2019

June 1 2020

Business Days

Single/Semidetached Dwelling Site	New	5-7	5-7	5-7
	Alt	5	5	5
Alternative Family Care Home	New	30	25	15
	Alt	17	8	8
Group Dwelling Site - Including Site Development	New	31-38	29-33	15-20
Group Dwelling Site - New builds & alterations post Site Development approval	New	31-38	17	10-15
	Alt	10	8	5-8
Apartment Buildings	New	34-45	29-36	17-22
	Alt	21-30	9-15	10-15
Commercial, Industrial & Institutional	New	34-45	29-37	17-22
	Alt	21-30	15-20	10-15
Major Projects - Construction Value >\$10million and/or Building Code High Rise Classifications	New	47	34-44	25-30
	Alt	21-30	15-24	15-23
Demolitions		5-12	5-8	5-8

* Turnaround times applicable to permit application submitted on or after the above dates

* New turnaround times account for a review by Development Review, Construction & Design (Saskatoon Water), Transportation and Building Standards. Alteration turnaround times account for a review by Development Review and Building Standards. If a review by another division is required, additional time will be added.

Saskatoon & Region

Dist. PDES 7.2.2
by Chris Gherette
Nov 5/19.

Saskatoon & Region
Home Builders'
Association



Economic Overview & New Housing Market Analysis

Q3 | 2019



Economic Overview & New Housing Market Analysis

Saskatoon & Region
Home Builders'
Association



New Home Sales



290 Units

Value of Building Permits



\$90 Million

Housing Starts



454 Units

Unabsorbed Inventory



425 units

Under Construction



1415 Units

*Arrows indicate change from Q3 2018.

2019 is shaping up to be one of the toughest years in recent memory for Saskatoon and Region home builders. Total housing starts are expected to be at a 15-year low with an estimated 700 single family homes and 470 multi-dwelling units beginning construction throughout the year. While housing construction is likely to see a slight uptick in 2020, housing starts are anticipated to be below the 20-year average.

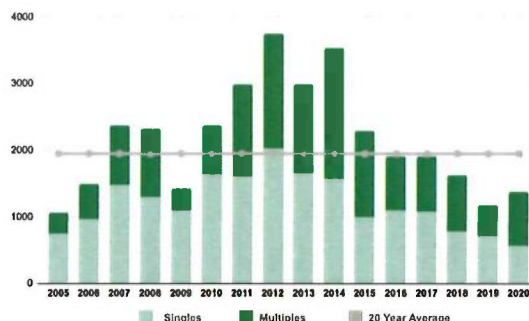
The recent drop in interest rates sustained a short-lived rebound in new home sales in Q2 2019. However, demand fundamentals continue to be weak and transactions trended down in Q3 2019. Political uncertainty both at home and abroad combined with challenging global outlooks in key commodities drag economic growth in the region. The slow economic momentum dampens further housing demand. Additionally, public policies implemented in recent years such as the mortgage "stress test" and the changes to PST on construction negatively impact affordability and the overall housing market in Saskatoon.

Figure 1: Value of Saskatoon building permits



Source: Saskatoon & Region Home Builders Association

Figure 2: Saskatoon housing starts



Source: CMHC Housing Information Portal and The Conference Board of Canada

Economic Overview & New Housing Market Analysis

Saskatoon & Region
Home Builders'
Association



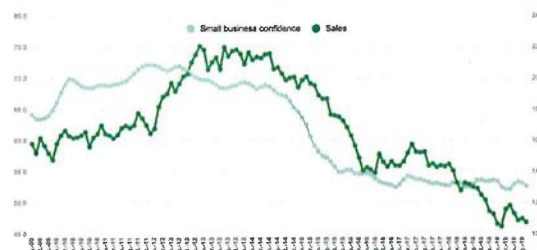
Saskatoon's economy continues to be under pressure. Business confidence is near decade lows. The latest figures from the Conference Board of Canada estimate a mild recession as GDP is expected to contract 0.15% in 2019. The recent political tensions between China and Canada, led to several restrictions on agricultural commodities directly impacting Saskatchewan's economy. A recent report from RBC places Saskatchewan as the province with the highest exposure to international trade.

The outlook for mineral exports continues to be a mixed bag. Demand for potash remains positive as global population is on the rise. Recently, BHP announced US\$345 million investment for the potential construction of the Jensen mine east of Saskatoon. The project comes with a price tag of as much as US\$17 billion. Global demand for uranium on the other hand is still subdued, following the nuclear disasters in Japan.

Prospects for the oil and gas industry are unclear as the lack of pipeline capacity constrains further growth. The recent federal election that led to a Liberal minority government left more questions than answers on the future of an industry that has historically been one of Canada's engines of growth.

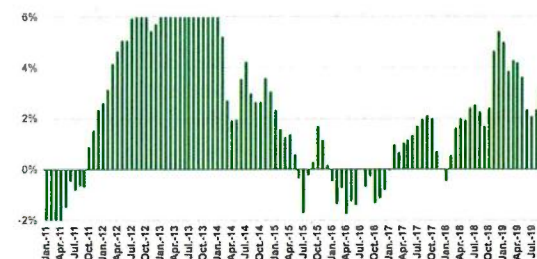
Saskatoon's labour market has been a bright spot with strong employment growth over the past 3 years. The region has created 15,200 jobs between January 2017 and September 2019. However, low productivity sectors such as hospitality, food service, culture and recreation account for 60% of those positions. Industries with traditionally high wages such as mining and oil and gas as well as construction continue to shed jobs with 1,400 positions lost during the same period.

Figure 3: Saskatoon monthly new housing absorption and business confidence - 12 month moving average



Source: Canada Mortgage and Housing Corporation & Canadian Federation of Independent Business

Figure 4: Saskatoon CMA job growth year-over-year



Source: Statistics Canada

Figure 5: Saskatoon economic indicators

	2017	2018	2019F
Real GDP Growth	2.59%	1.06%	-0.15%
Population growth	2.69%	2.21%	1.84%
Unemployment Rate	7.90%	6.63%	5.97%
Income Per Capita (\$)	\$49,991	\$50,689	\$51,794
Retail Sales (\$ Millions)	\$7,567	\$7,694	\$7,848
Inflation (%)	1.35	1.38	1.41
Housing Completions	2,053	1,568	1,665

Source: The Conference Board of Canada



The 2019 numbers are showing one of the toughest years in recent memory for home builders. The numbers only illustrate what local residential construction professionals have been saying since the beginning of the year. While the recently elected minority government has led to political uncertainty about the near future, the small forecasted uptick in residential construction in 2020 is welcomed but fragile.

CHRIS GU  RETTE

CEO, Saskatoon & Region Home Builders' Association

Economic Overview & New Housing Market Analysis

Saskatoon & Region
Home Builders'
Association

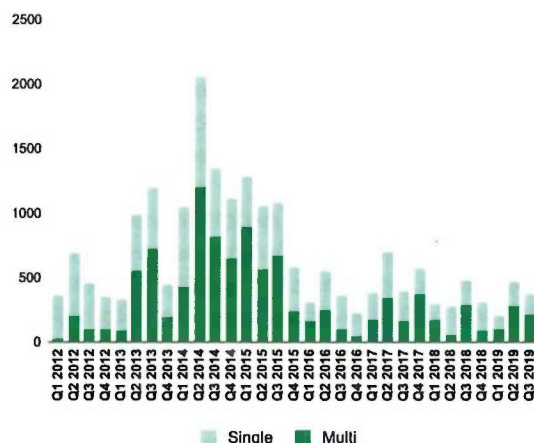


Since 2014, net domestic migration to the Saskatoon metro area has been negligible as the high paying jobs from the resource economy have come to a halt. While international migration is a success story in the city, this segment of the population traditionally rents.

Slow population growth, combined with a shift in demographics, is reshaping new home sales. Transactions in Q3 2019 topped only 290 units. This represents a 19.2% decrease compared to the same period last year as demand fails to generate enough momentum. Purchases of single-family homes decreased 33.8% in the same period with only 174 units sold in Q3 2019. Demand for apartments on the other hand, saw a 102% increase in sales during the same period to 69 units.

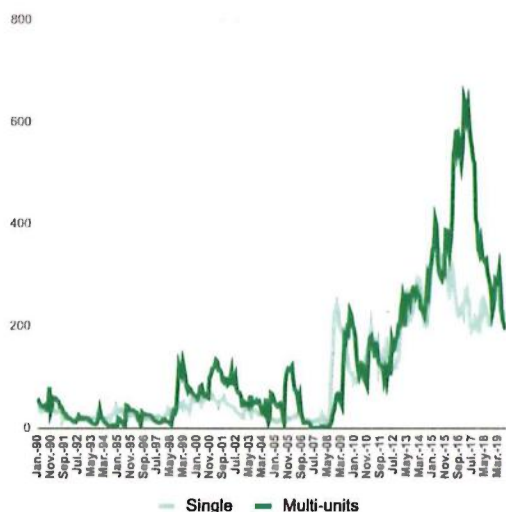
Home builders continue to react to the stagnant demand. Investment in new home construction decreased 30% in August of 2019 compared to the same period last year. The number of building permits in the City of Saskatoon topped 372 units in Q3 2019. This represents a decrease of 23.1% compared to the same period last year. Single family homes saw the largest decrease with 28%, while permits for multi-dwelling units decreased by 16.3%.

Figure 6: Number of building permits - City of Saskatoon



Source: Saskatoon & Region Home Builders Association

Figure 7: Unabsorbed inventory - Saskatoon CMA



Source: Canada Mortgage and Housing Corporation

The stock of new but unsold homes decreased as units under construction and building permits dwindle. However, the stock of available homes is still above the 10-year average. The unabsorbed inventory is a tale of two stories. The inventories multi-unit dwellings are rapidly declining with a 34.4% decrease year over year in September 2019. There are only 193 units currently in the market. The stock of single-family homes on the other hand is now 232 units. This represents an increase of 14.8% between September 2018 and 2019.

While some political uncertainty will remain in the near future, the recently re-elected Liberal government has restated its commitment to build the Trans Mountain expansion pipeline, which will provide relief to the oil and gas industry in Saskatoon.

The balance of 2019 will continue to see a steady market that moves at a measured pace. The glut of unabsorbed housing is expected to diminish as new construction slows down. The redevelopment of the core spearheaded by River Landing is expected to continue. Parcel Y is considered for a new downtown arena, which will further enhance the vibrancy of downtown.



STANDING POLICY COMMITTEE ON PLANNING, DEVELOPMENT AND COMMUNITY SERVICES

Development Review Program – Proposed Fee Changes

Recommendation of the Committee

That proposed fee changes and policy changes for the Development Review Program be forwarded for consideration by City Council at the 2020 - 2021 Preliminary Operating Budget deliberations.

History

At the November 5, 2019 Standing Policy Committee on Planning, Development and Community Services meeting a report of the General Manager, Community Services Department dated November 5, 2019 was considered. Your Committee received a presentation from Ms. Chris Guerette, CEP, Saskatoon & Region Home Builders' Association on the matter.

Your Committee also requested the Administration report to the 2020/2021 Preliminary Business Plan and Budget Deliberation on options regarding phasing some of the initiatives to provide a transition to the impact of the development fees and that the report include consultation with the development industry.

Attachment

November 5, 2019 report of the General Manager, Community Services Department

Development Review Program – Proposed Fee Changes

ISSUE

In order to provide process and customer service improvements and achieve cost recovery objectives, Administration is proposing changes to fees for development permits and other development applications.

City Council will consider a report to adjust fees for development permits and other development applications as part of the 2020 - 2021 Preliminary Operating Budget deliberations.

RECOMMENDATION

That the Standing Policy Committee on Planning, Development and Community Services recommend to City Council, that proposed fee changes and policy changes for the Development Review Program be forwarded for consideration by City Council at the 2020 - 2021 Preliminary Operating Budget deliberations.

BACKGROUND

In 2016, City Council set a cost-recovery objective of 100% for development permits and all other development application fees, except discretionary use applications that remained at 80% cost-recovery. In addition, fees for development applications (reviewed by the Development Review Section) were last adjusted as part of the 2016 annual operating budget. No further changes to the fees have been implemented since 2016.

It is important to note that not all of the Development Review Program has been directed to be cost-recovered from application fees. The remaining program funding comes from property taxes, recognizing the value to the general public of having a clear and consistent land use planning regime as well as situations where policy or administrative work is required but not directly applicable to individual applications. Due to cost increases related to salaries, as well as increases in non-salary expenses (i.e. computers, etc.), current fees are no longer meeting these cost-recovery objectives, even if current service standards were to be maintained.

Planning and Development, and other divisions involved in reviewing development applications, have been receiving requests for a number of operational improvements from a variety of sectors, the building and development industry, non-profits, business owners and residents. Since 2017, engagement with the development industry in particular has identified numerous process improvements, and systemic operational issues that could be resolved. The goal of making such improvements would be faster, timelier reviews, improved service and communications during the review process, assistance with problem-solving and alternative solutions, and overall streamlined operations.

Development Review Program – Proposed Fee Changes

In partnership with the Building Standards Division, Development Review has been evaluating methods to streamline and improve customer service, permitting and review processes. To align these priorities and respond to industry needs, a Building and Development Operational Review was conducted in 2018. The goal of the review was to identify methods to establish the City of Saskatoon (City) as a national leader in building and development permit turnaround times. The results of the Operational Review were presented to the Standing Policy Committee on Planning, Development and Community Services on August 12, 2019.

The Building and Development Operational Review Report made a number of recommendations to streamline the permitting process and ways to become a national leader in building and development permit turnaround times. The recommendations were summarized into six categories: Performance Standards, Customer Service, Processes and Policies, Technologies, Organization Structure and Staffing, and Implementation and Change Management. In order to implement the recommendations of the review and pursue continuous improvement as a regular course of business, the application fees for Development Review need to be adjusted to increase the level of service.

DISCUSSION/ANALYSIS

Appendix 1, which will be provided electronically, provides the Planning and Development Fee Review, prepared by BMA Consulting as part of the Operational Review. This documents both the current approach of the City and approaches in other comparable jurisdictions.

Findings of the Planning and Development Fee Review demonstrate that Saskatoon's development application fees are currently low compared to peer municipalities surveyed and with proposed increases, will stay below average.

The current staffing level in the Development Review Section does not meet the needs of higher volume periods and leaves significant catch-up required to recover from high volumes. It also contributes to a growing list of policy related items that have not been dealt with, which has prompted the need for the 2019-2021 Capital Project No. 2300 to undertake a comprehensive review of the Zoning Bylaw.

Combined with an appropriate staffing level increase to manage volumes and customer service, Planning and Development, along with other internal reviewers has identified mechanisms to streamline processes, and will also pursue new technology to support internal review and circulation as well as increased online services. The proposed fee increases are also required to support these program improvements.

The net impact of the recommended fee increases is forecasted to return the applicable activities to a state of full cost recovery of service, reduce the overall program draw on the mill rate and increase the level of service; Appendix 2 provides the existing and proposed fees.

Development Review Program – Proposed Fee Changes

Program and Service Improvements

The proposed fee increases will result in the following service improvements:

Initiative: Four permanent Development Officer positions, 100% assigned to development permit review.

Result: Ability to maintain review timeframes for individual applicants.

Initiative: One position designated to assist with subdivision applications, and concept plan review.

Result: Dedicated resources to manage internal review of neighbourhood concept plan submissions and major amendments, along with increased resources to process subdivision applications.

Initiative: One position designated to assist with City Centre applications and general policy review.

Result: Increased resources to process City Centre applications and provide support for overall policy review.

Initiative: One position dedicated to assist in the implementation of the Operational Review recommendations, followed by an on-going role in process improvement for Development Review.

Result: The ability to design, implement and evaluate program changes in an on-going manner while maintaining review timeframes for individual applicants.

Initiative: Funding to support significant technology upgrades to the POSSE program which is used by Building Standards and Development Review for the processing of permit applications and related uses. This is a component of Capital Project No. 2169 - Urban Planning and Development Program Enhancements.

Result: Delivery of a system that will include online submissions, review and communications, application tracking for applicants, and collaborative internal reviews, among other things.

Supporting Changes Required

Proposed service improvements will also be enabled by two associated mechanisms, the creation of a Development Review Program Stabilization Reserve, and the use of a Productivity Improvement Loan. Creation of a stabilization reserve will allow the program additional flexibility to deal with volume fluctuations over time. The Productivity Improvement Loan is an internal loan that will allow a contribution to a larger technology solution in the form of the POSSE platform. Further details on these mechanisms are provided in Appendix 3. Appendix 4 provides the proposed Development Review Program Stabilization Reserve language.

Development Review Program – Proposed Fee Changes

Stakeholder Engagement Has Occurred

Ongoing engagement with the development industry has occurred on the topic of process improvements. Discussion of the required fee changes were presented to the Developers Liaison Committee in June 2019, with additional detailed discussion in August and September 2019. Proposed fees were also presented to the Saskatoon and Region Association of Realtors and the Land Surveyors operating in Saskatoon.

Information on fee changes was provided to the general public in conjunction with the Zoning Bylaw Review project. This occurred both online in October 2019, as well as at a public open house held on October 2, 2019, at the Frances Morrison Central Library.

While industry recognizes process improvements are already underway and fee increases are necessary to achieve the goal of being leaders in this area, there was feedback around timing of the proposed increase, providing notice of when fee changes will come into effect to allow industry time to make adjustments, and considering implementing improvements prior to adjusting fees.

IMPLICATIONS

Application fees are outlined in Bylaw No. 8770, The Zoning Bylaw, therefore a text amendment to the Zoning Bylaw is required to implement these changes. Amendments to Council Policy No. C09-004 Condominium Approvals and Bylaw No. 6537, Subdivision Regulations, will also be required.

Financial Implications

The proposed fee increases will result in the program meeting cost recovery objectives, while also resulting in a reduced draw on the mill rate. As a result of the fee increases, the Development Review Program revenue is projected to increase by \$594,200 for 2020. With the proposed fee increase, corresponding staffing increases and the realignment of full cost recovered activities, the anticipated overall draw on the mill rate is budgeted to decrease by \$46,000 from 2019. Fees for 2021 have included an inflation rate of 2%.

For applicants, the impact of the proposed fees will vary depending on application type. While most application types provide for a straight fee increase, how fees are calculated for development permits and subdivisions is proposed to change. Based on the analysis of review time for development permits for one and two-unit dwellings, the new fee schedule provides for a flat fee with no additional cost for construction value for these permits. A lower flat fee will also be applied to residential alterations, additions and demolitions. For example, the current development permit fee for new residential construction is \$135.00 plus \$0.45/\$1,000 of construction value. For a house valued at \$500,000, the development permit fee would be \$360. Under the proposed new fee schedule, the development permit fee would be a flat fee of \$325. For all other development permits, a base fee plus a value of construction cost will be maintained to reflect the variation in time spent on reviewing different types of applications.

Development Review Program – Proposed Fee Changes

For subdivision applications, the time to review an application does not vary significantly based on the number of lots being created. To better reflect the cost of reviewing subdivision applications, the proposed new fee schedule increases the base fee from \$650 to \$3,250 and reduces the per lot fee from \$115 to \$55.

NEXT STEPS

As part of the proposed 2020 - 2021 Preliminary Operating Budget deliberations, City Council will consider a report to adjust fees for development permits and other development applications. Should City Council approve the fee adjustments during Budget deliberations, a public hearing for the text amendment to the Zoning Bylaw will be held in December 2019. In order to proceed in a timely manner, the required text amendments were considered by Municipal Planning Commission at the October 29, 2019 meeting. Standard public notice will be carried out in advance of the public hearing.

Confirmation of fee changes will be provided to the key stakeholders directly. In addition, all marketing material and application forms will be updated and a notice will be placed on the City's website.

Moving forward, Administration recommends consolidating these fees into a separate Fee Bylaw as permitted under the Planning and Development Act, 2007. This would remove fees from the separate documents and create one bylaw containing all fees. Future fee changes would be scheduled to coincide with Budget.

APPENDICES

1. Planning and Development Fee Review
2. Existing and Proposed Fee Schedule
3. Financial Mechanisms to Support Program Changes
4. Development Review Program Stabilization Reserve

REPORT APPROVAL

Written by: Lesley Anderson, Director of Planning and Development
Darryl Dawson, Development Review Manager

Reviewed by: Laura Hartney, Acting Director of Planning and Development

Approved by: Lynne Lacroix, General Manager, Community Services Department

SP/2019/PL/PDCS - Development Review Proposed Fee Changes/ac



Planning and Development Fee Review



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Introduction

Introduction

Study Objectives

In 2018, BMA Management Consulting Inc. was engaged by the City of Saskatoon to undertake a review and make recommendations with respect to building fees and planning operations. Phase one included the implementation of updated building fees commencing in 2019 with a phase-in period of three years.

Another phase of the engagement was the completion of a Planning and Development Operational review which was completed in Spring of 2019. During this phase, the planning fees analysis was completed. The purpose of the enclosed report is to provide an overview of the Planning and Development fee analysis and recommendations for 2020.

The objectives of the study included ensuring that the City is establishing fees that:

- *Support financial sustainability;*
- *Are fair and equitable;*
- *Recover the full cost of service;*
- *Take into consideration the cyclical effect of the development through the development of sound reserve policies to mitigate risk;*
- *Consider future forecast for development activity;*
- *Are competitive and have been compared in a meaningful manner to “like municipalities” and explanations are provided where differences may occur; and*
- *Are compliant with all relevant legislative and regulatory requirements.*

Planning and Development Act, 2007

The following summarizes the key sections pertaining the setting planning and development fees .

Fees

51(1) Subject to subsection (2), a council may, in the zoning bylaw or by a separate fee bylaw, prescribe a schedule of fees to be charged for the application, review, advertising, approval, enforcement, regulation and issuance, as the case may be, of:

- (a) a development permit;
- (b) a discretionary use;
- (c) a minor variance; and
- (d) an amendment to an official community plan or zoning bylaw.

(2) The fees prescribed pursuant to this section:

- (a) may be based on the size, type and complexity of matters mentioned in subsection (1); and
- (b) must not exceed the cost to the municipality of processing the application or of reviewing, advertising, approving, enforcing, regulating or issuing, as the case may be, the matters mentioned in subsection (1).

(2.1) If a council prescribes a schedule of fees pursuant to this section, the council shall, with the bylaw prescribing the fees, adopt a document that sets out the rationale for the fees.

(3) Before passing a fee bylaw, the council shall comply with the public participation requirements of Part X.

(4) A council is exempt from obtaining the minister's approval of the fee bylaw.

(5) The municipal administrator shall file with the director a certified copy of the fee bylaw and the document mentioned in subsection (2.1) within 15 days after the date on which the bylaw is passed.

Guiding Principles

The following Guiding Principles were used to provide a framework for the establishment of planning fees. The Guiding Principles help ensure that the City of Saskatoon has a consistent approach for establishing planning application fees. The Guiding Principles also provide for a more also facilitates a consistent and transparent decision-making process for determining fees; allows for better resource planning; and enhances the City’s ability to forecast fee revenue.

Guiding Principle #1: Service Efficiencies

- Fees for service will be set to reflect the efficient cost level of carrying out the service.
- If inefficient practices are identified (either through a review of internal processes or in relation to peer municipalities), then consideration of the inefficiencies will be taken into account during costing and, where appropriate, measures will be implemented to remove inefficiencies.

Guiding Principle #2: Fairness and Equity

- Saskatoon will distribute the cost of providing the service by charging a fee to applicants who receive direct benefit.
- Fees will employ mechanisms that equitably distribute costs between the various types of applications to avoid cross subsidization.
- Saskatoon will not set the fees beyond 100% of the full cost of the service. Full cost of service will include direct and indirect costs, overhead costs.

Guiding Principle #3: Transparency

- The cost of providing services, the allocation methodology of costs and the pricing structure will be transparent.

Planning and Development Fee Review Process

Review Process

The planning and development fee review process included:

- Understanding the current programs and services;
- Reviewing resources/costs to support the programs/services;
- Identifying the organizational structure used to support the programs and services;
- Developing process maps to identify the staff involved and the time required to complete each process;
- Reviewing the historic levels of development and planning applications and future growth projections;
- Identifying budgeted costs to achieve full cost recovery of planning and development activities;
- Developing an activity based costing model;
- Calculating proposed fees and making recommendations with regard to fee structures; and
- Benchmarking fees in Saskatoon in relation to other municipalities.

Planning and Development Fee Review—Calculation Methodology

The following provides an overview of the process used to calculate the fees.

- *Process Mapping and Time Estimates*
- *Identify Budget and Calculate the Cost of Service*
- *Establish Fee Structure*
- *Municipal Benchmarking*
- *Validate Revenue and Workloads*

Process Mapping and Time Estimates

The methodology used to determine building fees is based on leading practices and is referred to as a “bottom up” and “tops down” approach to cost analysis. Time spent per unit of fee activity is determined for each process. A process mapping exercise was completed by staff to identify the “average” time required to complete each step in the process. Utilization of time estimates is a reasonable and defensible approach, especially since these estimates were developed by experienced staff members who understand service levels and processes unique to the City of Saskatoon.

Time estimates were calculated using the following process:

- Estimates are representative of average times for providing service. Extremely difficult or abnormally simple projects were excluded from the analysis;
- Estimates provided by staff were reviewed and approved by the department and, in some cases, involved multiple iterations to ensure that the estimates were accurate; and
- Estimates were further reviewed by BMA for “reasonableness” against experience with other municipalities and validated against activity levels, staffing levels and available hours.

Identify Budget and Calculate the Cost of Service

Once time spent for a fee activity was determined, all applicable City costs were then considered in the calculation of the “full” cost of providing each service. This included the following costs:

- **Salaries, benefits and wages**—salaries and benefits of the staff undertaking work on the review and processing of applications.
- **Other Expenditures**—this includes office expenses, phones, advertising and other miscellaneous expenses.
- **Corporate Overhead**—this includes costs related to program support such as legal, finance, accommodation expenses, clerks, information technology, etc. This was calculated by the City of Saskatoon’s Finance Department and reviewed for reasonableness by BMA.

2018 Operating Budget	2018
Existing Salaries, Benefits and Wages	\$1,073,400
Other Expenditures	\$67,900
Corporate Overhead	\$237,600
Cost Recovery Revenues	(\$134,700)
Total Gross Expenditures	\$1,244,200
Fee Revenues	(\$718,100)
Mill Rate	\$526,100
% Fees of total Expenditures	58%

- Planning activities have approximately \$1.073 million in direct and indirect costs to be recovered from fees with an additional \$237,600 in corporate overhead (e.g. finance, accommodation, legal, clerks, administration), \$67,900 in non-salary related expenditures offset in part by cost recovery revenues. Revenues from existing planning and development fees was budgeted at \$718,100 for 2018, with a mill rate contribution of \$526,100. Fees as a percentage of total expenditures was budgeted at 58%.

Activity, Revenue and Workload Validation

- In addition to the collection of time estimate data for each fee or service, annual volume of activity data assumptions was also a critical component of the validation process. Collecting data on the estimated volume of activity for each service not only provided useful information regarding allocation of staff resources, it also provided assurance that staff resources have been appropriately accounted for and allocated to a fee for service, or “other non fee” related category. It is very important to ensure that services are not estimated at a level that exceeds budgeted resource capacity.

Municipal Benchmarking

- While fees should be based on the underlying cost of service, and this will vary from municipality to municipality, a fee benchmarking exercise was undertaken to consider the proposed fee for service in Saskatoon compared with other municipalities. Municipal benchmarking also identified policies and practices with respect to reserves, fee recovery targets and the fee structure used in each municipality to identify best practices.
- As will be shown in the benchmarking section of the report, the fees in Saskatoon are currently low and the recommended fee increases are also well below the peer municipal average.

Trends and Background Information

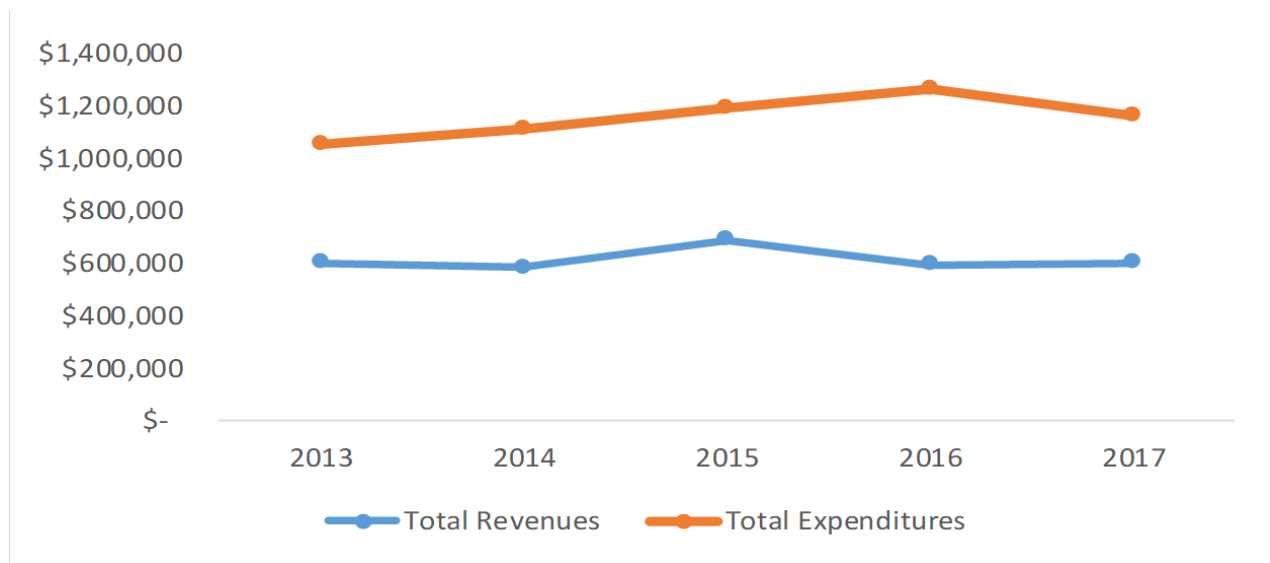
Existing Fees—General Findings

The following table provides a summary of the existing Planning and Development fees:

2018 Fees	
Development Permits	
Development Permit Final - Flat Fee	\$ 135
Development Permit Infill - Flat Fee	\$ 135
Development Permit - Construction Value (000's)	\$ 0.45
Subdivision	
Subdivision Application Fees	\$ 650
Subdivision Approval Fees (per lot)	\$ 115
Max Fee	\$ 4,600
Condominium	
Condominium Fee	\$ 750
Condominium Fee (per lot)	
Discretionary Use	
Discretionary Use - Standard Application	\$ 1,050
Discretionary Use - Complex Application	\$ 1,950
Discretionary Use - Highly Complex Application	\$ 5,300
Zoning	
Text Amendment	\$ 3,750
Low Density	\$ 3,750
Consistent with Approved Concept Plan	\$ 3,750
Med/High Density	\$ 5,000
Concept Plan	\$ 1,875

Revenue and Expenditure Trends

- The following graph provides a summary of the revenues and expenditures related to planning and development application reviews and associated activity. Note that total expenditures reflects the entire Development Review area, not strictly the fee recovery portion.



- Based on an analysis of the staff time involved with the planning and development application processes, the target for fee cost recovery is 71%. Over the past five years, Planning revenues have recovered on average only 53% of the total program expenditures associated with development applications. The difference is currently funded from the mill rate.
- Budgeted revenues have consistently been below the target revenues over the past five years.

Analysis and Recommended Fees

Introductory Analysis

- The City, in accordance with leading practices has maintained, on an annual basis, the estimated time allocation for each staff and type of application to align the revenues and expenditures for cost recovery from fees. However, it is difficult to predict with certainty , on an annual basis, the level of activity and the resulting revenues.
- As shown previously, the average revenues from 2013 to 2017 collected at \$614,000 reflects that existing fees are considerably lower than the underlying expense. The mill rate is funding programs and services associated with development applications.
- An analysis was undertaken on the existing staff and associated allocations to each of the respective processes as well as the funding sources. This was undertaken by process mapping all major classifications of applications against staff involved on a typical application.
- This was also cross checked in terms of the number of applications and the time required to undertake the reviews and the approval of an application.
- The Development Permit area has struggled to meet service standards, particularly in the commercial review area and is not meeting applicant expectations. There are currently three full time Bylaw Inspector 16 positions that are 100% dedicated to undertaking development permit reviews and one additional contract position that is currently funded from the Stabilization Reserve. Based on an analysis of the activity levels, recommendations have been made to convert the contract position to full time and to fund this position from development permit fees.
- The City Centre Planner is involved in the co-ordination of applications, responsible for consolidating comments to ensure that there is internal agreement before sending to the Developer. This position is a permanent position but currently is funded from the Stabilization Reserve. Recommendations have been made to fund a portion of this position (20%) from fees based on the process mapping exercise undertaken.

- Based on changes in work processes and additional staff that are required to meet service standards, an updated allocation was developed to better align the staff resources to the underlying applications. Updated analysis using the revised allocation methodology.

2018 Operating Budget	2018	Revised
Existing Salaries, Benefits and Wages	\$1,073,400	\$1,073,400
New Position Direct Development Permits		\$85,100
New Positions Reserve (Senior Planner)		\$106,900
Other Expenditures	\$67,900	\$67,900
Corporate Overhead	\$237,600	\$237,600
Cost Recovery Revenues	(\$134,700)	(\$134,700)
Total Gross Expenditures	\$1,244,200	\$1,436,200
Fee Revenues	(\$718,100)	(\$1,022,214)
Mill Rate	\$526,100	\$413,986
% Fees of total Expenditures	58%	71%

- As illustrated above, this reflects that costs to be recovered from fees should be approximately \$1 million compared with the existing fee recovery target of \$718,000.
- Based on an analysis of the underlying expenditures and time allocations of staff to each of the processes, the actual expenditures attributed to planning and development fee activities for 2018 is approximately 71% of the total expenditures. This reflects fees that are lower than the full cost of service.

City of Saskatoon—Planning and Development Fee Review

Revenue Breakdown

	2013	2014	2015	2016	2017
4000 REVENUE	\$ (30,950)	\$ (41,550)	\$ (28,650)	\$ (37,050)	\$ (23,300)
4392 DEVELOPMENT PERMITS	\$ (319,304)	\$ (351,789)	\$ (448,467)	\$ (381,684)	\$ (414,898)
4393 SUBDIVISION APPLICATION	\$ (174,269)	\$ (106,680)	\$ (110,165)	\$ (76,081)	\$ (76,795)
4394 DISCRETIONARY USE	\$ (10,800)	\$ (22,500)	\$ (24,000)	\$ (35,950)	\$ (23,750)
4395 ZONING APPLICATIONS	\$ (67,200)	\$ (62,500)	\$ (79,500)	\$ (62,450)	\$ (61,875)
Total Revenues	\$ (602,523)	\$ (585,019)	\$ (690,782)	\$ (593,215)	\$ (600,618)

- Average annual revenues over the past five years was approximately \$614,000.
- As shown above, the majority of the revenues currently collected are related to development permits with almost \$415,000 of the total \$600,000 in revenues generated in 2017. As will be discussed in this section of the report, this is an area where the City is not recovering sufficient revenues to offset expenses.
- In 2017, almost \$77,000 in subdivision revenues were generated, well below the target full cost recovery level.
- Zoning applications in 2017 generated approximately \$61,900, also well below the cost of service.
- Discretionary Use applications are also generating insufficient revenues to recover the cost of service.

Development Permits

- Development is defined by the Planning and Development Act as “... the carrying out of any building, engineering, mining or other operations in, on or over land or the making of any material change in the use or intensity of the use of any building or land.” Where a municipality has a zoning bylaw, all development must obtain a development permit prior to beginning a project.
- Most land use activities are defined as development and therefore, require a municipal development permit from a municipality with a zoning bylaw. Municipalities with zoning bylaws follow the development permit review process described below.
- The applicant must contact the municipal administrator and submit a development permit application to the municipality. It should include as much information as possible to assist in making an informed decision. The required information may include:
 - dimensions and size of sites;
 - location of development on the site;
 - location of utilities;
 - environmental considerations and mitigation measures;
 - access management information;
 - municipal road impacts and resolution opportunities; and
 - reclamation considerations.

Source: Government of Saskatchewan – A Guide to the Municipal Planning Process in Saskatchewan

- The existing fee structure includes a base fee of \$135 per application plus \$0.45 per \$1,000 cost of construction.
- A review of the existing fees and structure was undertaken against the process maps and other possible alternative rate structures.

- Validation of the hours was undertaken to identify the cost of service. Based on a review of the budgeted expenditures, the City should be recovering approximately \$548,000 from development permit fees. This includes a recommendation that the City fund the temporary Development Officer from the fees, rather than the Stabilization Reserve as there is an ongoing requirement for four Development Officers to meet the service standards and activity levels
- Staff anticipate in the range of 1,500-1,600 applications each year over the next several years; an increase from the number of reviews undertaken in 2017.
- Based on discussions with staff and the process maps generated, the time to review a residential application for new construction does not vary by the cost of construction which is currently partially the basis upon which fees are charged. As such, it is recommended that a base fee with no cost per construction be included in the new fee structure for residential new construction. This also improves the transparency of the cost of service.
- It is further recommended that a lower fee for residential alterations, additions, demolitions and conversions be implemented to reflect the lower work required and eliminate the cost per construction portion of the fee.
- Industrial, Commercial and Institutional (ICI) process maps were completed for Alterations as well as new construction. Given the significant variation in the types of ICI applications, it is recommended that the base fee be updated to reflect base cost of service and maintain the same fee per \$1,000 of construction.
- The following summarizes the existing and new development permit fees:

	Existing Fee	Recommended
All Applications Base	\$ 135.00	
+ \$1,000 construction	\$ 0.45	
Residential New		\$ 310
Residential Alterations, Additions, Conversions, Demolitions		\$ 160
ICI New Base		\$ 370
+ \$1,000 construction		\$ 0.45
ICI Alterations Base		\$ 190
+ \$1,000 construction		\$ 0.45

Subdivision Fees

- A subdivision is used to divide the land into smaller parcels for the purpose of legally registering separate ownership titles for the parcels with the provincial Information Services Corporation.
- A review of the existing fees and structure was undertaken against the process maps and other possible alternative rate structures.
- The base fee is currently too low and, based on the feedback from staff, the per unit cost is too high to reflect the additional work related to larger subdivisions.
- Based on discussions with staff and the process maps generated, two processes were completed; Subdivision application with 5 units and a Subdivision application with 25 units. The hours attributed to each of the above noted types of applications did not vary significantly.
- Most municipalities surveyed have a considerably higher base fee than in the City of Saskatoon, reflecting similar analysis undertaken in Saskatoon.
- The City's existing base fee of \$650 and a per unit fee of \$115 is not recovering sufficient revenues for a typical application. For example, a subdivision application with five units currently pays \$1,225 compared with the calculated fee at full cost recovery of approximately \$3,000.
- Based on a review of the budgeted expenditures, the City should be recovering approximately \$215,000. Currently, the average annual fees generated from subdivision applications is approximately \$98,000, reflecting a significant shortfall.
- The recommended approach is to increase the base fee and reduce the per unit fee to better reflect the cost of service and to align revenues with expenditures as follows:.

	Existing Fee	Recommended
Subdivision Base Fee	\$ 650	\$ 2,500
Subdivision Per lot Fee	\$ 115	\$ 50
Maximum Fee lot fee	\$ 4,600	\$ 5,000

Zoning Fees

- The primary legal and administrative means of implementing an Official Community Plan is the zoning bylaw. It divides a municipality into zoning districts and regulates development and use of land in those districts. A zoning bylaw permits a council to set local standards for the subdivision and use of land, and helps manage the delivery of municipal services and resources to new developments.
- The **zoning amendment review** of the municipality:
 - authorizes an officer to process development applications;
 - outlines development permit procedures;
 - establishes a Development Appeals Board;
 - provides for minor variances;
 - prescribes fees for permits and amendments; and
 - provides penalties.
- A review of the existing fees and structure was undertaken against the process maps and other possible alternative rate structures. Validation of the hours was also undertaken against the City's process maps to identify the cost of service.
- Based on a review of the budgeted expenditures, and the process maps, the City should be recovering approximately \$143,000. The City has not recovered revenues at this level in the past 5 years.
- Currently there is no differentiation in the fees between a Zoning Text Amendment application and a Low Density Zoning application in terms of the fee but based on process mapping, the Zoning Text Amendment requires considerably less staff time and the fee should be reduced accordingly. The City, however may wish to institute a zoning application text amendment for complex applications to recognize the additional work involved in the processes. The following table summarizes the existing and proposed fees:

	Existing		Recommended	
Zoning Applications - Text Amendment	\$	3,750	\$	2,960
Zoning Applications - Low Density	\$	3,750	\$	5,440
Zoning Applications - Consistent with Approved Concept Plan	\$	3,750	\$	4,130
Zoning Applications - Med/High Density	\$	5,000	\$	6,660

Discretionary Use

- As stated in the Government of Saskatchewan’s Guidelines, a Discretionary Use is where a development proposal is identified by the municipal zoning bylaw as a discretionary use, the application must be advertised pursuant to section 55 of the Planning and Development Act and presented to the council by the development officer at its next council meeting for review and decision.
- A review of the existing fees and structure was undertaken against the process maps and other possible alternative rate structures.
- Validation of the hours was also undertaken against the City’s process maps to identify the cost of service.
- Based on a review of the budgeted expenditures and process maps, the City should be recovering approximately \$88,000, however, revenues, on average over the past 5 years has been approximately \$23,400.
- The City’s existing base fee differentiates between the type of discretionary application, in accordance with leading practices. Updates to the fees are recommended based on the cost of service.
- While the table below reflects the full cost of service, some municipalities elect to implement a lower fee for some minor discretionary use applications to support affordability objectives for small businesses.
- The following summarizes the recommended fees, with further staff consideration for minor discretionary use applications:

	2018 Fees	New Fee Calculations
Discretionary Use - Standard Application	\$ 1,050	\$ 4,140
Discretionary Use - Complex Application	\$ 1,950	\$ 4,700
Discretionary Use - Highly Complex Application	\$ 5,300	\$ 5,770

Concept Plan

- As defined by the Government of Saskatchewan, concept plans are prepared and are part of an Official Community Plan (OCP). They provide a framework for subsequent subdivisions and development. Concept plans may describe:
 - land use proposed for the area, generally or specifically;
 - density of the development proposed, generally or specifically;
 - general location of services proposed; and
 - phasing of development proposed.
- A concept plan forms a part of a municipality's OCP. Therefore, pursuant to section 44 of the Planning and Development Act (PDA), a municipality that has not been declared an approving authority pursuant to section 13 of the PDA must adopt and amend any concept plan by bylaw which requires ministerial approval. A municipality that has been declared an approving authority may adopt a concept plan by resolution.
- A review of the existing fees and structure was undertaken against the process maps and other possible alternative rate structures.
- Validation of the hours was also undertaken against the City's process maps to identify the cost of service.
- The City has not attempted to collect the full cost of service for concept plans. The new process map reflects that the fee should be \$16,920 compared with the existing fee of \$1,875.
- The practices vary considerably across Canada in terms of the definition of a concept plan and the processes. Regina is most comparable and their existing fee is \$49,900 and is currently under review.

Forecast Activity Levels

	2017 Activity	2018 Activity Estimated	2019 Activity	2020 Activity
Development Permit Applications				
Development Permit	1,400	1,500	1,500	1,600
Development Permit - Construction Value (000's)	495,750	463,875	463,875	475,480
Subdivision Applications				
Subdivision Applications	50	80	65	80
Subdivision Approval (per lot)	385	580	490	580
Zoning Applications				
Text Amendment	1	2	1	1
Low Density	1	4	2	2
Consistent with Approved Concept Plan	9	12	9	10
Med/High Density	5	7	5	7
Contract Zone (additional fee)	3	3	3	3
Concept Plan Major (additional fee)	-	2	1	2
Concept Plan Minor (additional fee)	1	4	2	2
Direct Control District (requiring Council approval)	-	1	1	1
Architectural Control District - Major	-	1	1	1
Architectural Control District - Minor	-	1	1	1
Neighbourhood Concept Plan Amendment - Major (without rezoning)	1	2	1	1
Neighbourhood Concept Plan Amendment - Minor (without rezoning)	1	1	1	1
Official Community Plan	4	-	2	2
Discretionary Use Applications				
Discretionary Use - Standard Application	8	4	6	6
Discretionary Use - Complex Application	7	15	10	15
Discretionary Use - Highly Complex Application	1	1	1	1
Other Applications				
Condo Application Fees (new)	8	15	15	15
Endorsement of Liquor Permits	3	15	15	15
Minor Variance Application Fees	2	4	4	4
Zoning Verification Letters	60	70	70	70

- The table above provides a summary of the historical activity as well as the forecast future activity over the next two years. This was used to assist in estimating revenues and resource requirements.

Recommended Fees

- Based on an analysis of the cost of service and projected activity levels, the following reflects the recommended fees, based on full cost recovery principles:

	2018 Fees	Full Cost Recovery Fees
Development Permits		
Development Permit Final - Flat Fee	\$ 135	
Development Permit Infill - Flat Fee	\$ 135	
Development Permit - Construction Value (000's)	\$ 0.45	
Residential New		\$ 310
Residential Alterations, Additions, Conversions, Demolitions		\$ 160
ICI New Base		\$ 370
ICI Alterations Base		\$ 190
+ \$1,000 construction (ICI only)		\$ 0.45
Subdivision		
Subdivision Application Fees	\$ 650	\$ 2,500
Subdivision Approval Fees (per lot)	\$ 115	\$ 50
Max Fee	\$ 4,600	\$ 5,000
Condominium		
Condominium Fee	\$ 750	\$ 2,500
Condominium Fee (per lot)		\$ 50
Max Fee		\$ 5,000
Discretionary Use		
Discretionary Use - Standard Application	\$ 1,050	\$ 4,140
Discretionary Use - Complex Application	\$ 1,950	\$ 4,700
Discretionary Use - Highly Complex Application	\$ 5,300	\$ 5,770
Zoning		
Text Amendment	\$ 3,750	\$ 2,960
Low Density	\$ 3,750	\$ 5,436
Consistent with Approved Concept Plan	\$ 3,750	\$ 4,130
Med/High Density	\$ 5,000	\$ 6,660
Concept Plan	\$ 1,875	\$ 16,920

Municipal Fee Comparison

Municipal Fee Comparison

In total, 13 municipalities were included in the peer comparative analysis as follows:

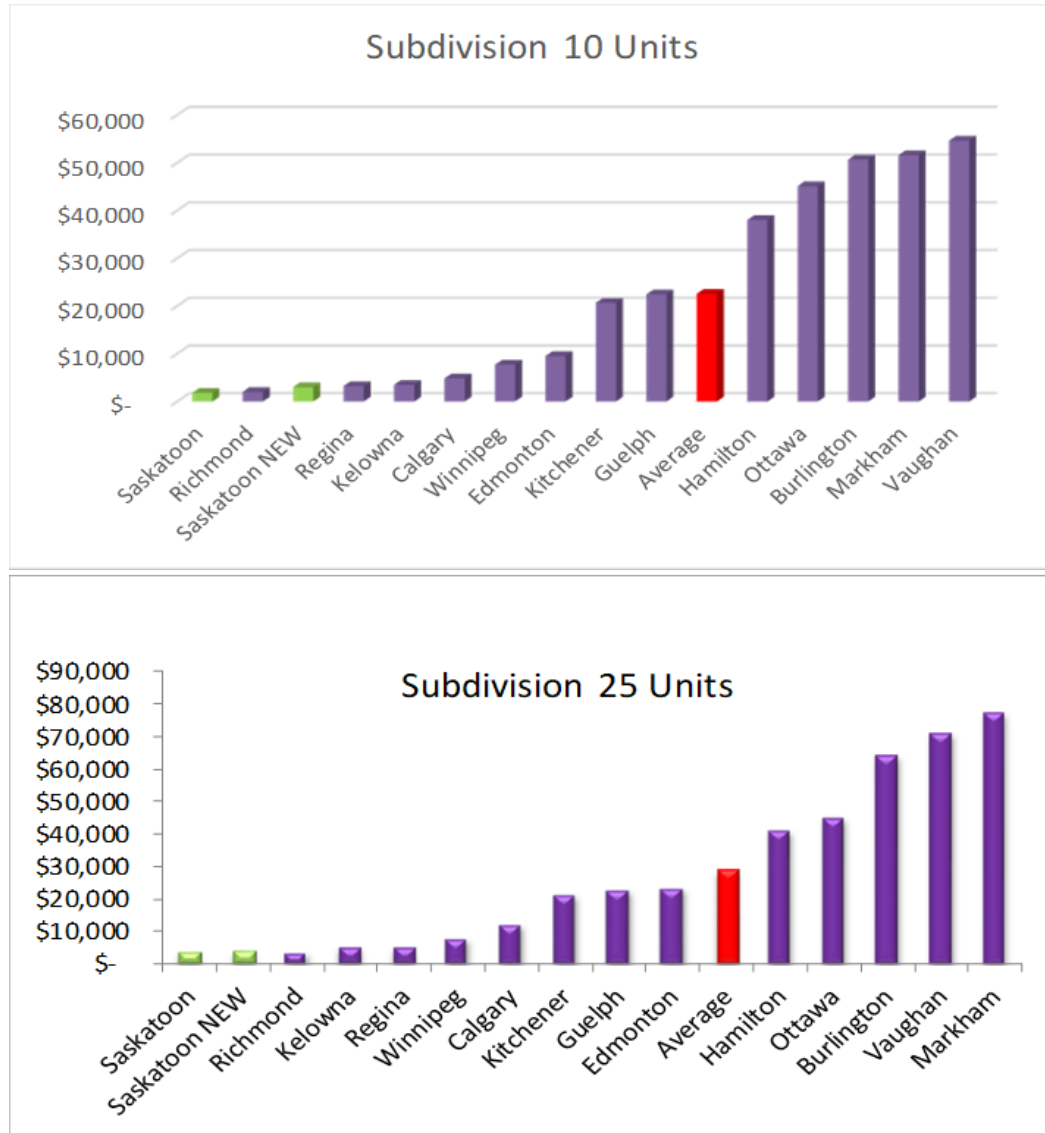
- Burlington, ON
- Guelph, ON
- Kitchener, ON
- Regina, SK
- Winnipeg, MB
- Calgary, AB
- Ottawa, ON
- Edmonton, AB
- Kelowna, BC
- Richmond, BC
- Markham, ON
- Hamilton, ON
- Vaughan, ON

The fees for two-tier municipalities includes both the local and the regional fees. Every municipality has unique processes and therefore fees are not always directly comparable. Further, the comparison of fees does not take into account any service level differences that may exist in terms of, for example, the time taken to process an application or the level of customer service provided to the applicant. Municipalities may also have different levels of cost recovery which will impact the fee for service.

As shown in the benchmarking comparative fee analysis in the next several pages of the report, the existing and recommended fees in Saskatoon continue to be well below the peer average. It should be noted that the fee comparison is using 2018 fee schedules. Further, it should be noted that the fees in Regina are currently under review.

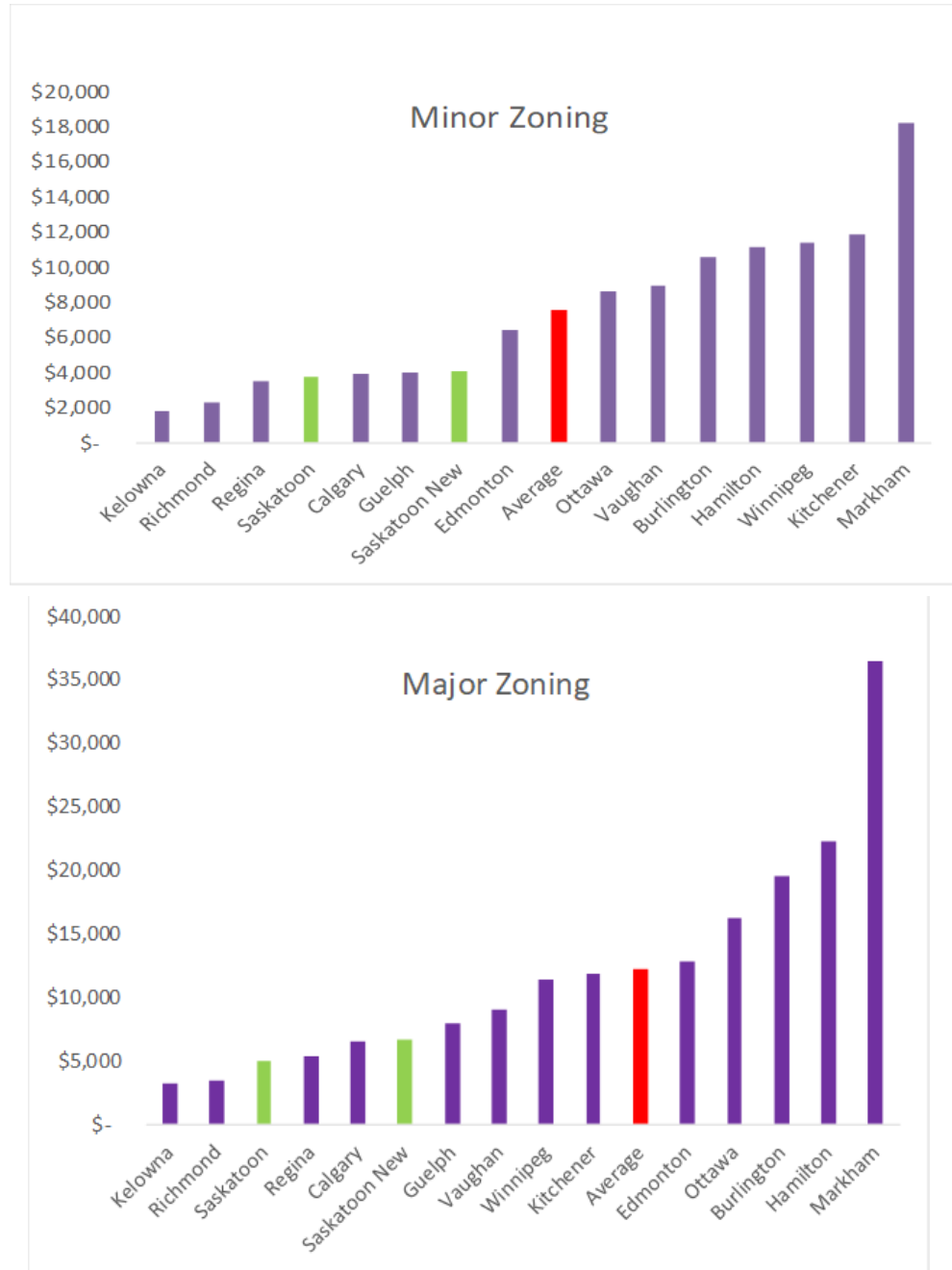
It is recommended that in addition to comparing the fees across various jurisdictions, performance standards should be considered in future studies. While not all municipalities have established or report on performance standards, it is a leading practice.

Subdivision Fee Comparison



- Note: the City of Regina's fees are currently under review and are expected to increase to reflect the full cost of service.

Zoning Amendments



- Note: the City of Regina's fees are currently under review and are expected to increase to reflect the full cost of service.

Summary of Recommendations

Summary of Recommendations

1. *Move to a full cost recovery fee model for all Planning and Development Applications in accordance with leading practices based on the summary table provided in this report. The impact of this recommendation would reduce the impact to the mill rate by approximately \$100,000-\$200,000 depending on the level of activity.*
2. *Update the allocation of staff to be recovered from fees, based on the process maps.*
3. *Increase fees annually based on an inflation and undertake a detailed review at least every 5 years.*
4. *Subdivision Permit Applications – Increase the base fee to reflect standard work that is undertaken, regardless of the size of the property and lower the existing per unit cost to reflect the incremental additional work related to larger subdivisions.*
5. *Zoning Application - Differentiate between a Zoning Text Amendment application and a Low Density Zoning application in terms of the fee to reflect that there is less staff time required for a Zoning Text Amendment.*
6. *Development Permit Applications*
 - *Residential - Establish a base fee for a residential application and eliminate the existing additional fee for cost per construction as the cost for residential new construction applications does not vary by the cost of construction. Recommend a lower fee for residential alterations, additions, demolitions and conversions to reflect the lower work required and eliminate the cost per construction portion of the fee.*
 - *ICI – Given the significant variation in the types of ICI applications, it is recommended that the base fee be updated to reflect the fixed cost component and maintain the same cost per \$1,000 of construction.*

Existing and Proposed Fee Schedule

Type	2019 Rate	Proposed 2020 Rate	Proposed 2021 Rate
Development Permit			
Application Fee	\$135.00		
Plus Construction Value (000's)	\$0.45		
One and Two Unit Residential - New (application fee only)		\$325.00	\$341.25
One and Two Unit Residential - Alterations (application fee only)		\$175.00	\$183.75
Commercial/ Industrial/ Institutional/ Multiple Unit Dwelling - New		\$490.00	\$514.50
Commercial/ Industrial/ Institutional/ Multiple Unit Dwelling - Alteration		\$220.00	\$231.00
Commercial /Industrial/ Institutional/ Multiple Unit Dwelling – Plus Construction Value (000's)		\$0.45	\$0.47
Discretionary Use			
Standard Application	\$1,050	\$4,500	\$4,590
Complex Application	\$1,950	\$5,750	\$5,865
Highly Complex Application	\$5,300	\$7,000	\$7,140
Zoning Bylaw & OCP Amendment			
Text Amendment	\$3,750	\$4,750	\$4,845
Rezoning - Low Density	\$3,750	\$5,750	\$5,865
Rezoning - Consistent with Approved Concept Plan	\$3,750	\$4,500	\$4,590
Rezoning - Med/High Density	\$5,000	\$7,000	\$7,140
Additional Fee-Zoning Agreement	\$625	\$1,750	\$1,785
Additional Fee-Rezoning that includes Major Concept Plan Amendment	\$1,875	\$3,750	\$3,825
Additional Fee-Rezoning that includes Minor Concept Plan Amendment	\$625	\$1,500	\$1,530
Direct Control District (requiring Council approval)	\$2,500	\$5,000	\$5,100
Official Community Plan Amendment (text or map)	\$100	\$1,750	\$1,785
Concept Plan			
New or Major Amendment	\$2,000	\$25,000	\$25,500
Minor Amendment	\$625	\$4,500	\$4,590
Architectural Control District Approval			
Major Application	\$2,500	\$5,000	\$5,100
Minor Application	\$625	\$2,500	\$2,550

Other Applications			
Endorsement of Liquor Permits	\$200.00	\$210.00	\$214.20
Minor Variance Application Fees	\$50.00	\$55.00	\$56.10
Zoning Verification Letters	\$200.00	\$210.00	\$214.20
Development Appeal (fee as per the Planning & Development Act)	\$50.00	\$300.00	\$300.00
Subdivision (fee as per the Subdivision Regulations, Bylaw No. 6537)			
Application Fee	\$650	\$3,250	\$3,315
Approval Fee (per lot)	\$115.00	\$55.00	\$56.10
Condo Application Fee (new)	\$750.00	\$787.00	\$802.74

Financial Mechanisms to Support Program Changes

Mechanism 1: Development Review Program Stabilization Reserve

The Planning and Development Act (Act) authorizes the City to establish fees to pay for the costs of application, review, advertising, approval, enforcement, regulation and issuance of development permits and other development applications. The Act requires that the fees established must not exceed the cost to the city of performing these activities.

A Development Review Program Stabilization Reserve (Reserve) will benefit the operation of the program in a number of ways:

1. The Reserve will alleviate the need to draw on general revenues to provide a balanced budget during periods of declining applications. If the program experiences substantial net losses, or net gains, over a sustained period of time, fees will be reviewed to determine appropriate adjustments.
2. Access to a Reserve will allow development permit and application fees to remain relatively constant for a longer period of time, providing stability for the development community.
3. A Reserve will provide a funding source to finance unexpected or special projects associated with program improvements, such as upgrades to data software, programming needs, new hardware and equipment, or development of additional policy or programs to address new and evolving issues.
4. The Reserve Fund will ensure that revenues received through application fees are directed to funding the delivery of the Development Review Program, as stipulated in the Planning and Development Act.

Details regarding the amendments to the Reserves for Future Expenditures (RFE Policy) Policy No. C03-003 to establish a reserve for the Development Review Program, are included in Appendix 4.

Mechanism 2: Productivity Improvement Loan

A Productivity Improvement Loan (Loan) has been identified as a financing measure to help fund the necessary upgrades and improvements to the POSSE program used by Building Standards, Business Licensing and Development Review for processing various development and permit applications. The use of the Loan will allow the funding to be available for the POSSE project in 2020, and to be repaid through development application revenues over a five year period. This has been included as part of the funding source for Capital Project No. 2169 – Urban Planning and Development Program Enhancements. Through approval of the Capital Project, the use of the Loan is also approved, however a Public Notice Hearing for borrowing is also required.

Productivity Improvement Loans are governed by Policy C03-027 Borrowing for Capital Projects, which includes the following information:

- A “Productivity Improvement” refers to “capital projects which will result in the delivery of an existing operating program (with or without a service enhancement) at a lower cost or will generate greater revenues through increased utilization.”
- A Productivity Improvement Loan must be fully repaid by additional operating revenues with a period of five years, and it includes repayment of the debt servicing charge.

The Loan for the Development Review Program is for a total of \$370,000, which will be repaid at a rate of \$78,600 per year for five years and will cover the initial principal plus interest. The repayment comes from the operating revenues of the Program and will begin in 2021.

APPENDIX 4

Development Review Program Stabilization Reserve: Proposed Amendments to the Reserve For Future Expenditures Policy No. C03-003

Development Review Program Stabilization Reserve

Purpose

1. To accumulate funds for the purpose of offsetting any deficits in the Development Review Program due to revenue shortfalls from a decline in number of development permit and land use applications.
2. To stabilize the effect annual fluctuations in development applications has on the mill rate.
3. To provide a source of funds to finance unexpected or non-cyclical costs associated with programming requirements and special projects.

Source of Funds

The provision shall be a yearly balancing item which will equal any positive amount arising from the year's operating revenues minus operating expenditures for the Development Review Program.

Application of Funds

The Development Review Program Stabilization Reserve shall be used to finance a deficit in the Development Review Program, arising when actual expenditures for the program exceed the actual revenues on a yearly basis. Funds may also be used to finance non-cyclical costs associated with programming needs, equipment, or special projects.

Reserve Balance Limitation

1. The balance of the reserve shall be capped at 100% of the current year's budgeted operating expenses.
2. Should the Reserve surpass the established ceiling for more than three consecutive years, the Administration will revisit the existing development permit and land use application fees, review forecast volumes and make appropriate recommendations to modify the fees. During the three-year period the surplus will remain in the Reserve.

Responsibility

The General Manager, Community Services Department or designate shall administer the Reserve.

All expenditures qualifying as capital projects require City Council approval.



STANDING POLICY COMMITTEE ON PLANNING, DEVELOPMENT AND COMMUNITY SERVICES

Parks and Recreation Levy and Community Centre Levy – Rates - 2019

Recommendation of the Committee

1. That adjustments to the 2019 Parks and Recreation Levy rate, as outlined in the November 5, 2019 report of the General Manager, Community Services Department, be approved; and
2. That the 2019 Community Centre Levy rates for each developing neighbourhood, as outlined in the November 5, 2019 report of the General Manager, Community Services Department, be approved.

History

At the November 5, 2019 Standing Policy Committee on Planning, Development and Community Services meeting a report of the General Manager, Community Services Department dated November 5, 2019 was considered.

Attachment

November 5, 2019 report of the General Manager, Community Services Department

Parks and Recreation Levy and Community Centre Levy - Rates - 2019

ISSUE

This report provides an overview of the proposed 2019 rates for both the Parks and Recreation Levy and the Community Centre Levy.

RECOMMENDATION

That the Standing Policy Committee on Planning, Development and Community Services recommend to City Council:

1. That adjustments to the 2019 Parks and Recreation Levy rate, as outlined in this report, be approved; and
2. That the 2019 Community Centre Levy rates for each developing neighbourhood, as outlined in this report, be approved.

BACKGROUND

The City of Saskatoon established the Parks and Recreation Levy as a means to fund neighbourhood local parks (including core neighbourhood parks, neighbourhood pocket parks, village squares and linear parks), district parks, multi-district parks and approved recreation amenities.

At its August 15, 2012 meeting, City Council approved a single, blended city-wide formula for calculation of the Community Centre Levy, beginning with the Kensington neighbourhood and all new neighbourhoods. Calculation of the Community Centre Levy is based on the year-to-year cost of acquiring 8.0 acres of potential school-site property in each developing neighbourhood.

DISCUSSION/ANALYSIS

Parks and Recreation Levy

The proposed 2019 Parks and Recreation Levy rate includes a \$7.50 per front metre (1.78%) increase. Table 1 summarizes the proposed Parks and Recreation Levy rate changes for 2019.

Table 1: Parks and Recreation Levy Rate Changes

	2018 Approved Rate	2019 Proposed Rate	Rate Change
Neighbourhood Parks	\$284.20	\$293.25	\$ 9.05
District Parks	\$107.30	\$107.30	\$ 0.00
Multi-District Parks	\$ 29.35	\$ 27.80	(\$1.55)
Total	\$420.85	\$428.35	\$ 7.50

Parks and Recreation Levy and Community Centre Levy - Rates - 2019

The increase in the neighbourhood parks rate relates to the increase in the cost to construct water features in neighbourhood parks. The change in the multi-district park rate has been adjusted to account for the interest received on the funds held in the Parks and Recreation Levy account.

Community Centre Levy

Calculation of the Community Centre Levy is based on the cost of acquiring 8.0 acres of land for potential school-site property in each developing neighbourhood. The proposed Community Centre Levy rates are summarized in Table 2.

Table 2: Community Centre Levy Rate Changes

	2018 Approved Rate	2019 Proposed Rate	Rate Change
Rosewood Neighbourhood	\$107.50	\$107.50	\$ 0.00
Future Neighbourhoods	\$165.00	\$155.00	(\$10.00)

The Community Centre Levy rates for the Rosewood neighbourhood was established based on individual neighbourhoods before the single, blended rate policy changed. This neighbourhood has a unique rate, primarily due to variations in the size of the neighbourhood.

The Community Centre Levy rate for future neighbourhoods will be applied to new neighbourhoods, including Kensington, Brighton, Elk Point, Aspen Ridge and all future neighbourhoods. The proposed 2019 Community Centre Levy rate of \$155.00 has been adjusted from \$165.00 to reflect the changes in the cost of land.

IMPLICATIONS

The financial implications have been outlined in this report. There are no legal, social, or environmental implications identified.

NEXT STEPS

The above rates came into effect January 1, 2019, and any servicing work that has been charged at 2018 rates will be adjusted. Although servicing work is primarily done in the spring and summer, most of the billing occurs later in the year.

Report Approval

Written by: Brad Babyak, Recreation Services Manager, Recreation and Community Development
Reviewed by: Andrew Roberts, Director of Recreation and Community Development
Approved by: Lynne Lacroix, General Manager, Community Services Department



STANDING POLICY COMMITTEE ON PLANNING, DEVELOPMENT AND COMMUNITY SERVICES

Concept Plan Amendment – Prairieland Park

Recommendation of the Committee

That the concept plan for Prairieland Park be amended to allow for the development of a new kitchen.

History

At the November 5, 2019 Standing Policy Committee on Planning, Development and Community Services meeting a report of the General Manager, Community Services Department dated November 5, 2019 was considered.

Attachment

November 5, 2019 report of the General Manager, Community Services Department

Concept Plan Amendment – Prairieland Park

ISSUE

Prairieland Park Corporation (Prairieland) is proposing an addition for a new kitchen to be located south of Hall C. The existing lease agreement between the City of Saskatoon (City) and Prairieland requires that any addition, alteration or improvement for the development is subject to the prior written approval of City Council.

RECOMMENDATION

The Standing Policy Committee on Planning, Development and Community Services recommend to City Council that the concept plan for Prairieland Park be amended to allow for the development of a new kitchen.

BACKGROUND

Prairieland leases the site at the corner of Ruth Street and Lorne Avenue from the City. The current lease between Prairieland and the City is in effect until April 30, 2045. The lease agreement states that all plans for additional development are subject to the prior written approval of City Council (refer to Appendix 1). Therefore, any new development proposals on the site require amendments to the concept plan prior to proceeding.

The current concept plan was approved by City Council in 2017, and provided for the proposed construction of Hall F, to the west of the existing Trade and Convention Centre. The addition of a skyride chairlift and future modifications to the main vehicular entrance at Ruth Street and Herman Avenue, were also approved at that time.

DISCUSSION/ANALYSIS

Prairieland is proposing additional development consisting of a new kitchen to be located to the south of Hall C (refer to Appendix 2). Prairieland currently operates a large kitchen to serve banquets, buffets and many events throughout the year. The kitchen in its current location is not well suited to serve these events. The proposed kitchen south of Hall C will provide improved staff efficiency with direct access into Halls A, B and C from the kitchen.

IMPLICATIONS

The proposed kitchen addition is compatible with the existing design of the site and there were no concerns raised by Administration through the referral process that would preclude this application from proceeding.

NEXT STEPS

Should City Council approve the amended concept plan, Prairieland would be required to submit all necessary plans, drawings and obtain development and building permits for the addition.

Concept Plan Amendment – Prairieland Park

APPENDICES

1. Lease Agreement
2. Prairieland Park Concept Plan

REPORT APPROVAL

Written by: Catherine Kambeitz, Senior Planner, Planning and Development
Reviewed by: Darry Dawson, Development Review Manager
Lesley Anderson, Director of Planning and Development
Approved by: Lynne Lacroix, General Manager, Community Services Department

SP/2019/PL/PDCS – Prairieland Concept Amendment Plan/ac

Lease Agreement

Between:

The City of Saskatoon

- and -

Saskatoon Prairieland Exhibition Corporation

Prepared by:
Office of the City Solicitor
City Hall
222 Third Avenue North
Saskatoon, Saskatchewan
S7K 0J5

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Lease Agreement

This Lease made effective the 1st day of March, 1995.

Between:

The City of Saskatoon, a municipal corporation pursuant to the provisions of *The Urban Municipality Act, 1984*, S.S. 1983-84, Chapter U-11 (the "City");

- and -

Saskatoon Prairieland Exhibition Corporation, a Saskatchewan non-profit corporation carrying on its activities in the City of Saskatoon, in the Province of Saskatchewan ("Prairieland");

Background

In that:

- A. The City is the registered owner of all those lands described in Schedule "A" hereto (the "Lands").
- B. Prairieland has, with the consent of the City, been carrying on its activities upon a portion of the Lands since 1911, and now desires to lease such lands from the City.
- C. The City has agreed to lease to Prairieland all that portion of the Lands as is outlined in red on the Plan attached hereto as Schedule "B" (the "Exhibition Grounds") so that Prairieland may continue to carry out its activities thereon, and proceed with the construction of certain improvements thereto, and use, occupy and enjoy the Exhibition Grounds, and the improvements to be constructed thereon, for the term of this Lease, all upon the terms and conditions, and subject to the provisions herein contained.

Accordingly, and in consideration of the rents hereby reserved and the mutual covenants and agreements herein contained, the City and Prairieland agree as follows:

Part I Definitions

- 1.01 "Additional Development" means any and all subsequent phases of the Development.
- 1.02 "Additional Development Plans" means the concept plans and drawings related to the Additional Development which have been prepared by Architects.

- 1.03 "Architects or Engineers" means such architects or engineers as are duly qualified and licensed to practice, and are carrying on business, in the Province of Saskatchewan, as Prairieland may appoint.
- 1.04 "Builders' Lien Legislation" means *The Builders' Lien Act*, S.S. 1984-85-86, Chapter B-7.1, of the Province of Saskatchewan and any statutory modifications thereto or re-enactments thereof.
- 1.05 "City" means The City of Saskatoon, a municipal corporation pursuant to the provisions of *The Urban Municipality Act, 1984*, S.S. 1983-84, Chapter U-11, and its successors and assigns.
- 1.06 "Completion Date" means the date designated in 4.04 hereof.
- 1.07 "Development" means the construction and provision upon the Exhibition Grounds of:
- (a) an 80,000 square foot Class "A" trade space facility; and,
 - (b) a 100,000 square foot livestock facility; and,
 - (c) a 20,000 square foot maintenance and storage facility,
- together with the upgrading and renovation of the Administration Building, Grandstand and Race Horse Barns situate upon the Exhibition Grounds, and the general improvement and upgrading of the landscaping of the Exhibition Grounds, all of which constituting the first phase of the redevelopment and improvement of the Exhibition Grounds.
- 1.08 "Exhibition Grounds" means all that portion of the Lands as is outlined in red on the plan attached as Schedule "B" to this Lease and consisting of approximately 135 acres, more or less, and includes all structures, improvements and fixtures situate thereon.
- 1.09 "Landlord and Tenant Act" means *The Landlord and Tenant Act*, R.S.S. 1978, Chapter L-6, and any statutory modifications thereto or re-enactments thereof.
- 1.10 "Lands" means the lands described in Schedule "A" attached hereto.
- 1.11 "Lease" means this Lease, including the Schedules attached hereto and any amendments made hereto from time to time.
- 1.12 "Percentage Rate" means Royal Bank of Canada prime rate plus One percent per annum.
- 1.13 "Plans" means the concept plans and drawings related to the Development which have been prepared by Architects.

- 1.14 "Prairieland" means the Saskatoon Prairieland Exhibition Corporation, a Saskatchewan non-profit corporation, and its successors and permitted assigns.
- 1.15 "Rent" means the rent payable by Prairieland to the City pursuant to this Lease and set out in Part VI hereof.
- 1.16 "Retained Lands" means that portion of the Lands retained by the City as outlined in green on the Plan attached as Schedule "B" to this Lease.
- 1.17 "Term" means the term of this Lease as stipulated in 3.02 hereof; and any renewal granted in accordance with 3.03 hereof.

Part II
Structure and Interpretation of this Document

2.01 Schedules

Schedules "A" and "B" to this document are a part of this Lease.

2.02 Headings and Captions

The table of contents, part numbers, part headings, paragraph numbers and paragraph headings are inserted for convenience of reference only and are not to be considered when interpreting this Lease.

2.03 Obligations as Covenants

Each obligation of the City or Prairieland expressed in this Lease, even though not expressed as a covenant, is considered to be a covenant for all purposes.

2.04 Entire Agreement

With the exception of a certain license agreement made between the City and Prairieland dated December 15, 1980, and all amendments thereto, and pertaining to that structure commonly known as the "Wheatland 'B' Building", this Lease contains all of the representations, warranties, covenants, agreements, conditions and understandings between the City and Prairieland concerning the Lands, the Retained Lands, the Exhibition Grounds, the Development, the Additional Development and the subject matter of this Lease.

2.05 Governing Law

This Lease will be interpreted and governed by the laws of the Province of Saskatchewan.

2.06 Number and Gender

The necessary grammatical changes required to make the provisions of this Lease apply in the plural sense where necessary, and to corporations, associations, partnerships or individuals, males or females, in all cases will be assumed as though in each case fully expressed.

Part III
Leasing and Term

3.01 Lease

In consideration of the Rent reserved and the covenants and agreements on the part of Prairieland contained in this Lease, the City leases to Prairieland, its successors and permitted assigns, the Exhibition Grounds for the Term, at the Rent and on the terms and conditions stated in this Lease, subject to all those charges, liens and other interests as are registered in the Land Titles Office for the Saskatoon Land Registration District respecting the Exhibition Grounds.

3.02 Term

The term of this Lease is a period of fifty (50) years commencing on the 1st day of May, 1995 and ending on the 30th day of April, 2045.

3.03 Option to Renew

Provided that Prairieland shall pay the Rent when due under this Lease and perform and observe each and every of the terms, conditions and covenants on its part to be performed and observed hereunder, the City hereby grants unto Prairieland an option to renew this Lease for a further period of twenty (20) years commencing on the 1st day of May, 2045, and ending on the 30th day of April, 2065, upon the same terms, conditions and covenants as are contained and set forth in this Lease.

3.04 Prior Termination of Lease

Notwithstanding 3.02 and 3.03 hereof, this Lease may be terminated as further described herein.

3.05 Overholding after Term

If the City permits Prairieland to remain in occupation of the Exhibition Grounds, the Development, or the Additional Development, without objection by the City after the expiration of the Term, the tenancy shall be deemed to be a tenancy from year to year and the Rent payable by Prairieland hereunder shall continue unabated and be payable annually, in advance, on each anniversary of the effective date of this Lease, and shall otherwise be subject to all the covenants and provisos of this Lease applicable to a yearly tenancy. Such yearly tenancy may be terminated by either the City or Prairieland at any time by 180 days' prior written notice given to the other party.

3.06 Surrender of Lease

Upon the expiration of the Term, or any permitted period of overholding, or if this Lease is terminated as hereinafter provided, Prairieland shall surrender to the City possession of the Exhibition Grounds, the Development and the Additional Development, and all additions, alterations and improvements made thereon and therein and all of the rights of Prairieland under this Lease shall be terminated; but Prairieland shall, notwithstanding such termination, be liable to the City for any loss or damage suffered by the City by reason of any default of Prairieland. Upon expiration, termination or surrender of this Lease, Prairieland shall assign to the City the benefit of any and all rights and other privileges accruing to the Exhibition Grounds, the Development or Additional Development or Prairieland's interest therein.

Part IV The Development

4.01 Construction

Prairieland shall commence construction of the Development just so soon as is reasonably practicable and economically feasible, utilizing due diligence, and shall construct and complete the Development on the Exhibition Grounds expeditiously and in a workmanlike manner by the Completion Date in accordance with the Plans.

4.02 Approval of Plans and Specifications

All Plans for the Development, and any addition, alteration or improvement thereto, are subject to the prior written approval of the Council of the City. Provided the Plans comply with paragraph 8.01 hereof, the City agrees that such approval shall not be arbitrarily or unreasonably withheld. In the event that Prairieland disputes any decision of the City pursuant to this paragraph, it is expressly agreed that such dispute shall be settled through arbitration pursuant to the provisions of *The Arbitration Act* of the Province of Saskatchewan, and that settlement in such fashion shall be final and binding upon the City and Prairieland.

4.03 Cost of Construction

All construction costs and other expenses related to the Development, of whatsoever nature or kind, shall be borne solely by Prairieland.

4.04 Completion Date

Prairieland shall cause the Development to be substantially completed no later than the 1st day of March, 2000.

4.05 Extension of Time for Construction

If Prairieland:

- (a) is not in default of payment of Rent or the performance of the obligations of this Lease; and,
- (b) has been delayed in constructing the Development by reason of strike, lockout, governmental restriction, act of God, or similar causes, or any other cause beyond the control of Prairieland, including economic causes, and the delay is such as to render it unlikely or uncertain that the Development will be substantially completed in accordance with 4.04 hereof; and,
- (c) has used all reasonable diligence to overcome such delays,

then Prairieland may at any time apply to the City for an extension of the time for compliance with 4.04 hereof.

4.06 Conditions Precedent to Commencement of Construction

Before commencing any work on the Exhibition Grounds for the construction of the Development, the following conditions precedent shall have been satisfied:

- (a) Prairieland shall prepare and submit the Plans to the City and the City shall have approved the same; and,
- (b) Prairieland shall have submitted to the City proof of the insurance referred to in 11.01 hereof; and,
- (c) Prairieland shall have submitted to the City satisfactory evidence that all arrangements and approvals necessary for and associated with any severance or division of the Exhibition Grounds have been secured; and,
- (d) Prairieland shall have paid and shall have submitted to the City satisfactory evidence of the payment of all costs required to be made by Prairieland in accordance with 6.03 and 9.01 hereof, and associated with any severance of the Exhibition Grounds, or the preparation and servicing of the Exhibition Grounds.

4.07 Duties of Prairieland in Construction

Prairieland shall perform and comply with the following covenants and requirements in construction of the Development:

- (a) the Development shall be constructed in all respects in accordance with the Plans, except to the extent that any requirements of this Lease shall have been waived or varied by the City in writing; and,

- (b) all necessary building permits shall be obtained and all municipal bylaws and legal requirements pertaining to the conduct of the work shall be complied with; and,
- (c) the construction work shall be conducted expeditiously in a good and workmanlike manner and otherwise in accordance with the provisions of this Lease; and,
- (d) Prairieland, through Architects or Engineers, shall properly supervise the work; and,
- (e) any contractor engaged on the work shall be required to observe all provisions of his contract and to furnish and maintain all security, indemnity, insurance and performance bonds required by the contract; and,
- (f) the City and the City's agents and engineers shall at all times have the right to inspect the work and to protest to Prairieland or to Architects or Prairieland's Engineer any default or non-compliance with this Lease, and Prairieland shall forthwith deal with such protest and remedy any default or non-compliance; and,
- (g) the City may require Prairieland to submit at reasonable intervals and at Prairieland's own expense certificates of Architects or Engineers of the standing of the work, the existence and extent of any faults or defects, the value of the work then done and to be done under any contract, the amount owing to any contractor and the amounts paid or retained by Prairieland on any contract, and Prairieland shall also, whenever requested by the City, furnish copies of certificates furnished to Prairieland by contractors or by Architects or Engineers in connection with construction; and,
- (h) Prairieland shall promptly pay all proper accounts for work done or materials furnished under all contracts which Prairieland has entered into relating to the construction of the Development, but this shall not prevent Prairieland from retaining any amounts claimed due which Architects have not certified to be due, or which are properly and reasonably retained to secure the performance of any work or the correction of any defect or which in the opinion of Architects are reasonably retained in anticipation of damages arising from any contractor's default, or which are required to be retained under provisions of the Builders' Lien Legislation of the Province of Saskatchewan; and,
- (i) the Development shall be substantially completed on or before the expiration of the date stipulated in 4.04 hereof, or as such date may be extended pursuant to 4.05 hereof.

4.08 Entry During Construction

The City, its architects, agents and employees may, upon giving reasonable notice to Prairieland of its intention to do so, enter the Exhibition Grounds and the Development at all reasonable times during the course of construction and during construction of all replacements, major structural alterations, additions, changes, substitutions or improvements for the purpose of inspection and ascertaining whether the work conforms with the Plans approved by the City from time to time. Upon giving reasonable notice to Prairieland, the City at all reasonable times may enter the Exhibition Grounds and the Development for the purpose of inspecting the Development and for such other purposes as the City, at its sole discretion, may consider necessary for the protection of its interest under this Lease.

Part V Additional Development

5.01 Construction of Additional Development

Prairieland may elect to proceed with construction of the Additional Development upon the Exhibition Grounds at such time or times as it considers appropriate, if at all, and any and all such construction of the Additional Development shall be undertaken and performed in a workmanlike manner and in accordance with the Additional Development Plans.

5.02 Approval of Additional Development Plan

All Additional Development Plans for the Additional Development, and any addition, alteration or improvement thereto, are subject to the prior written approval of the Council of the City, and the provisions of paragraph 4.02 respecting the approval of Plans shall be applicable hereto *mutatis mutandis*.

5.03 Cost of Construction of Additional Development

All construction costs and other expenses related to the Additional Development, of whatsoever nature or kind, shall be borne solely by Prairieland.

5.04 Completion of Additional Development

Prairieland, having opted to proceed with construction of the Additional Development, shall proceed expeditiously and continuously with any and all such construction, so that the Additional Development shall be completed just so soon as is reasonably practicable following the commencement of any such construction.

5.05 Construction of the Additional Development

Paragraphs 4.05 to 4.08, inclusive, of Part IV of this Lease shall apply, *mutatis mutandis*, to the completion and construction of the Additional Development.

Part VI
Payment of Rent

6.01 Annual Rent

Prairieland, in each year during the Term of this Lease, shall pay to the City an annual Rent, in advance, in the amount of One Hundred (\$100.00) Dollars.

6.02 Payment of Rent

The annual Rent payable under paragraph 6.01 hereof shall be paid to the City in advance on each anniversary of the effective date of this Lease. The first such payment shall be made on the 1st day of March, 1995, and so on for the Term of this Lease. All payments of Rent shall be made to the City at the office of the Land Manager of The City of Saskatoon, City Hall, Saskatoon, or as the City may otherwise direct by notice.

6.03 Rent to be Net

All Rent required to be paid by Prairieland hereunder shall be paid without any deduction, abatement or set-off whatsoever, it being the intention of the parties to this Lease that all expenses, costs, payments and outgoings incurred in respect of the Exhibition Grounds, or the Development, or the Additional Development, or any improvements on the Exhibition Grounds, the Development, or the Additional Development, or for any other matter affecting the Exhibition Grounds, the Development, or the Additional Development shall, unless otherwise expressly stipulated herein to the contrary, be borne by Prairieland. Accordingly, the Rent herein provided shall be absolutely net to the City and free of all abatement, set-off or deduction for realty taxes, charges, rents, assessments, expenses, costs, payments or outgoings of every nature arising from or related to the Exhibition Grounds, the Development, or the Additional Development, and Prairieland shall pay all such taxes, charges, rates, assessments, expenses, costs, payments and outgoings, including, without limiting the generality of the foregoing, all costs in relation to any severance or division of the Exhibition Grounds, the surveying of the Exhibition Grounds, and the preparation and servicing of the Exhibition Grounds, as may be required by law.

6.04 Collection of Other Amounts Due

Any sum, cost, expense or other amount from time to time due and payable by Prairieland to the City under the provisions of this Lease, including sums payable by way of indemnity, and whether expressed to be Rent or not, may, at the option of the City, be treated as and deemed

to be Rent, in which event the City shall have all remedies for the collection of such sums, when in arrears, as are available to the City for the collection of Rent in arrears.

6.05 Interest on Amounts in Arrears

When Rent or any other amount payable hereunder by Prairieland to the City is in arrears, such Rent or amount shall bear interest at the Percentage Rate until paid, and the City shall have all remedies for the collection of such interest, if unpaid after demand, as in the case of Rent in arrears, but this stipulation for interest shall not prejudice or affect any other remedy of the City under this Lease.

Part VII
Ownership of the Exhibition Grounds,
the Development, the Additional Development
and Fixtures

7.01 Prairieland's Ownership of the Exhibition Grounds, the Development and Additional Development

Subject to 7.02 hereof, the Exhibition Grounds, the Development, the Additional Development and all other fixed improvements which Prairieland may construct, or cause to be constructed, upon the Exhibition Grounds from time to time are and shall be fixtures to the Exhibition Grounds and are intended to be and become the absolute property of the City upon the expiration or termination of this Lease for any reason, but shall be deemed, as between the City and Prairieland during this Lease, to be the separate property of Prairieland and not of the City but subject to and governed by all the provisions of this Lease applicable thereto notwithstanding such rights of Prairieland.

7.02 Ownership of the Tenants' Fixtures

7.01 hereof shall not be construed to prevent Prairieland from retaining the right of property in, or the right to remove fixtures or improvements which are of the nature of usual tenants' fixtures and normally removable by tenants and which are not part of the structure or any essential part of the Exhibition Grounds, the Development, the Additional Development or any building services. Prairieland shall make good any damage to the Exhibition Grounds, the Development, the Additional Development or building services caused by any such removal of tenants' fixtures.

7.03 City's Priority over Other Interests

The City's absolute right of property in the Exhibition Grounds, the Development, the Additional Development and other fixed improvements upon the Exhibition Grounds that will arise upon the termination of this Lease shall take priority over any other interest in the Exhibition Grounds, the Development, the Additional Development and fixed

improvements that may now or hereafter be created by Prairieland except as shall be agreed to by the City in writing from time to time, and all dealings by Prairieland with the Exhibition Grounds, the Development, the Additional Development or such fixed improvements which in any way affect title thereto shall be made expressly subject to this right of the City, unless the City has agreed otherwise in writing, and Prairieland shall not assign, encumber or otherwise deal with the Exhibition Grounds, the Development, the Additional Development or such fixed improvements separately from any permitted dealing with the leasehold interest under this Lease, to the intent that no person shall hold or enjoy any interest in this Lease acquired from Prairieland who does not at the same time hold a like interest in the Exhibition Grounds, the Development, the Additional Development and the fixed improvements, unless the City agrees otherwise in writing.

Part VIII

Use of the Exhibition Grounds, the Development and the Additional Development

8.01 **Restricted Uses**

The Exhibition Grounds shall not be used for any purpose other than the facilitation and promotion in the City of Saskatoon, and North-Central Saskatchewan, of agriculture, industry, education, culture, entertainment and sporting activities, and all things necessary and incidental thereto, including all those activities which a society within the meaning of *The Agricultural Societies Act* of the Province of Saskatchewan is authorized to undertake, and, in further consideration of this Lease, Prairieland agrees that it shall so facilitate and promote all such activities. Except as is expressly provided in this Agreement, Prairieland shall not use the Exhibition Grounds or permit them to be used for any other purpose, and, without limitation, Prairieland shall not permit or suffer any industrial or residential use of the Exhibition Grounds.

8.02 **Summer Fair and Exhibition**

Prairieland agrees that it shall annually, throughout the Term, conduct and stage upon the Exhibition Grounds an agricultural and industrial "Summer Fair" and exhibition, including all such exhibitions, demonstrations, competitions, performances, entertainments and other activities as are traditionally associated with a "Summer Fair".

8.03 **Non-Exclusive Use**

Prairieland acknowledges that a portion of the Exhibition Grounds is currently being utilized, with the knowledge and consent of the City, by The Saskatoon Golf and Country Club Limited (the "Club"), and agrees to grant unto the Club, and its employees, servants, agents, members, invitees, licensees, successors and assigns, without charge, a license to use all that portion of the Exhibition Grounds as is shown outlined in

blue on Schedule "B" hereto (the "Licensed Area"), for the purpose of operating and maintaining a golf practice facility thereon. In the first instance, such license shall subsist and continue until:

- (a) the Club advises Prairieland by way of 30 days' written notice that it no longer requires the use of the Licensed Area; or,
- (b) the 31st day of December, 1999;

whichever shall first occur. In the event that the Club desires to extend its use of the Licensed Area beyond December 31, 1999, Prairieland agrees that it shall reasonably negotiate the terms of such an extension with the Club, with a view to accommodating the Club's needs. Should Prairieland and the Club be unable to reach agreement on the terms of any such extension, it is expressly agreed that the terms in dispute shall be settled through arbitration pursuant to the provisions of *The Arbitration Act* of the Province of Saskatchewan, and that settlement in such fashion shall be final and binding upon the parties.

8.04 Circle Drive Extension

Prairieland further acknowledges that the City proposes to extend the Circle Drive right-of-way throughout all that portion of the Exhibition Grounds as is shown cross-hatched in black on Schedule "B" hereto (the "Right-of-Way"), and, accordingly, agrees that no portion of the Development or Additional Development, or other structure, improvement or fixture shall be constructed or erected upon such Right-of-Way. At such time as the Right-of-Way is required by the City for the construction of the Circle Drive roadway, Prairieland shall peaceably yield-up and surrender possession of the Right-of-Way to the City without charge or compensation of any kind whatsoever, and Prairieland shall have no claim upon the City for the value of the Right-of-Way or the unexpired Term of this Lease pertaining thereto.

8.05 Easements

Throughout the term of this Lease, Prairieland agrees that it shall grant unto the City, without charge, all such utility and other service easements as may be required by the City or other utility agency or service. The City agrees that any and all such service easements shall be located in such a fashion as will minimize the effect upon the Exhibition Grounds, the Development or the Additional Development, and, in any event, agrees to restore the Exhibition Grounds, the Development or the Additional Development to their former condition upon completion of any such service installation.

8.06 Conduct of Activities

Prairieland shall ensure and cause all activities carried on upon the Exhibition Grounds to be conducted throughout the Term in an up-to-date, first-class, reputable and lawful manner.

Part IX
General Covenants of Prairieland

Prairieland covenants with the City as follows:

9.01 Acceptance of the Lease

Upon the commencement of this Lease, Prairieland accepts the Exhibition Grounds "as is" knowing its condition, and agreeing that the City has made no representation, warranty or agreements affecting same, and Prairieland agrees that the City is not obliged to furnish any services or facilities (excepting all those public utility services made available by the City for a charge pursuant to separate agreement concluded between the City and the consumer of such services) or to make repairs or alterations in or to the Exhibition Grounds or the Development or Additional Development, Prairieland hereby assuming full and sole responsibility for the condition, operation, repair, replacement, maintenance and management of the Exhibition Grounds and the Development and Additional Development; Prairieland acknowledges that upon it having taken possession of the Exhibition Grounds that Prairieland will be considered for all purposes to have accepted the Exhibition Grounds in its existing condition and that Prairieland shall then, at the exclusive cost of Prairieland:

- (a) enter into all arrangements and pay all costs associated with any severance or subdivision of the Exhibition Grounds from the Retained Lands; and,
- (b) do or cause to be done and pay for any necessary site preparation or servicing of the Exhibition Grounds; and,
- (c) pay all approval fees and other costs associated with any severance or subdivision of the Exhibition Grounds, as may be required by law.

9.02 Payment of Rent

To pay the Rent hereby reserved on the days and in the manner herein provided.

9.03 Taxes and Other Fees

Where required by law, to pay all taxes, rates (including local improvement rates), special, municipal and other levies, duties, assessments and license fees that may be levied, rated, charged or assessed against the Exhibition Grounds, the Development or Additional Development, including all equipment thereon, and improvements thereto, and against any property on the Exhibition Grounds or the Development or Additional Development brought thereon by Prairieland or by anyone acting under the authority of Prairieland, whether such

rates, levies, duties, charges, assessments and license fees are charged by municipal, parliamentary or other authority during the Term hereof. All municipal taxes and local improvement rates shall be apportioned between the parties hereto for the first and last years of the Term. Prairieland shall have the right, at its own expense and without cost to the City, to contest by appropriate legal proceedings the validity of any tax, levy, rate (whether local improvement rate or otherwise), assessment or other charge referred to in this paragraph, and if such tax, levy, rate, assessment or other charge may legally be postponed without subjecting the City to any liability of any nature whatsoever for failing to make payment, Prairieland may postpone such payment until the determination of such proceedings, provided that such proceedings shall be conducted with all due diligence and dispatch.

9.04 Service Charges

To pay all charges for electric current, water, sewer, gas, light, heat, power, telephone or other similar service used in connection with the Exhibition Grounds or the Development or Additional Development or the activities carried on there by Prairieland.

9.05 Repairs

At its own expense to keep in good order and condition throughout the Term the Exhibition Grounds and the Development and Additional Development both inside and outside, including but not limited to fixtures, walls, foundations, roof, vaults, elevators and similar devices, heating and cooling equipment, sidewalks, yards and other like areas, water and sewer mains and connections, water, steam, gas and electric pipes and conduits, and all other fixtures in and appurtenances to the Exhibition Grounds and the Development and Additional Development and all machinery and equipment used or required in their operation, whether or not enumerated herein, and, in the same manner and to the same extent as a prudent owner, to make all necessary repairs, replacements, alterations, additions, changes, substitutions and improvements, ordinary or extraordinary, foreseen or unforeseen, structural or otherwise, and to keep the Exhibition Grounds, the Development and Additional Development usable for all the purposes for which the Exhibition Grounds, the Development and Additional Development were erected and the appurtenances and equipment were supplied and installed. The repairs will be in all respects to a standard equal in quality of material and workmanship to the original work and material in the Exhibition Grounds, the Development and Additional Development and will meet the requirements of municipal and government authorities and any fire insurance underwriter. Prairieland will not commit or allow waste or injury to the Exhibition Grounds or the Development or Additional Development and will not use or occupy or permit to be used or occupied the Exhibition Grounds or the Development or Additional Development for any unlawful purpose, or in a manner that results in the cancellation of insurance, or in the refusal of an insurer to issue insurances requested. Prairieland, at all times at its

own expense, shall keep the Exhibition Grounds and the Development and Additional Development in good condition and repair, and will not injure or disfigure the Exhibition Grounds or the Development or Additional Development or allow them to be injured or disfigured in any way, and at the expiration or termination of this Lease Prairieland, except as otherwise expressly provided in this Lease, will surrender and deliver up the Exhibition Grounds and the Development and Additional Development or any replacement thereof or substitution therefore in good order and condition. Prairieland will not call upon the City at any time to make repairs to or replacements of any part of the Exhibition Grounds or the Development or Additional Development, or any alteration, addition, change, substitution or improvement, whether structural or otherwise, this being a net lease. The intention of this Lease is that the Rent received by the City is free and clear of all expenses in connection with the construction, care, maintenance, operation, repair, replacement, alteration, addition, change, substitution and improvement of or to the Exhibition Grounds or the Development or Additional Development.

9.06 Right of Entry

To permit the City, upon reasonable notice given by the City, to enter and view the state of repair of the Exhibition Grounds and the Development and Additional Development, and Prairieland shall with due diligence repair the Exhibition Grounds and the Development and Additional Development in accordance with any notice given to Prairieland by the City, failing which, the City or its agent, may, but shall not be obliged to do so, undertake such repair, and all costs incurred in connection therewith shall be due and payable forthwith by Prairieland as additional Rent.

9.07 Indemnity

To indemnify and save harmless the City against all actions, suits, claims, damages, costs and liability, and loss of every nature arising during the Term out of:

- (a) any breach of or non-compliance with a covenant, agreement or condition on the part of Prairieland contained in this Lease; and,
- (b) any injury to a person, occurring in or upon the Exhibition Grounds or the Development or Additional Development, including death resulting from the injury; and,
- (c) any damage to or loss of property arising out of the use and occupation of the Exhibition Grounds or the Development or Additional Development.

The obligations of Prairieland to indemnify the City under this paragraph are to survive the termination of this Lease in respect of every event during the Term.

9.08 Surrender of Exhibition Grounds, Development and Additional Development

At the expiration of the Term, peaceably to surrender and yield up to the City the Exhibition Grounds and the Development and Additional Development and all fixtures and equipment thereon in good and substantial repair and condition, save as provided elsewhere in this Lease.

9.09 Maintenance

At all times during the Term to keep and maintain the Exhibition Grounds and the Development and Additional Development in a neat, clean, sanitary, orderly and attractive condition and not to permit refuse, garbage, waste or other loose or objectionable material to accumulate in or upon the Exhibition Grounds or the Development or Additional Development.

9.10 Observance of Laws and Regulations

Not to violate, or permit any employee, officer, invitee, licensee or other person visiting or doing business on the Exhibition Grounds or the Development or Additional Development to violate any law or ordinance or any order, rule, regulation or requirement of any federal, provincial or municipal government or department, commission, board or officer thereof, and promptly to comply with all such laws, ordinances, orders, rules, regulations or requirements when required by law to do so, and to apply for, obtain and maintain in good standing such licenses and certificates as are necessary for the carrying on of Prairieland's activities.

9.11 Distress

None of the goods or chattels of Prairieland at any time during the continuance of the Term hereby created on the Exhibition Grounds or the Development or Additional Development shall be exempt from levy by distress for Rent in arrears or for any other sums that may become payable under this Lease, and upon any claim being made for such exemption by Prairieland on distress being made by the City, this covenant may be pleaded as an estoppel against Prairieland in any action brought to test the right to levy upon such goods and chattels as are exempted in any legislation of the Province of Saskatchewan, Prairieland waiving every benefit that might have accrued to it by virtue of the provision of any Act but for the above covenant.

9.12 Payments of Municipal Taxes

To pay, where required by law, all municipal taxes levied during the Term.

9.13 Waste and Nuisance

Not to do, suffer or permit any waste, damage, disfiguration or injury to the Exhibition Grounds or the Development or Additional Development or the fixtures and equipment thereon or therein, or to do, suffer or allow any overloading of the floors thereof, and not to use or permit the use of any part of the Exhibition Grounds or the Development or Additional Development for any dangerous, noxious or offensive trade or activity and not to cause, maintain or permit any waste or nuisance on the Exhibition Grounds or the Development or Additional Development.

Part X
Covenants of the City

10.01 Quiet Enjoyment

The City covenants with Prairieland that if Prairieland pays the Rent hereby reserved and observes and performs all the covenants and provisos of this Lease on the part of Prairieland to be observed and performed, Prairieland shall and may peaceably possess and enjoy the Exhibition Grounds and the Development and Additional Development for the Term hereby granted, without any interruption or disturbance from the City, or any other persons lawfully claiming by, from or under the City.

10.02 Observance of Covenants

The City covenants to observe all of the covenants, terms and provisions of this Lease on the part of the City to be observed and performed.

Part XI
Insurance

11.01 Liability Insurance

Prairieland shall place, maintain and keep in force during the Term of this Lease general liability insurance in the joint names of the City and Prairieland protecting both the City and Prairieland (without any rights of cross claim or subrogation against the City) against claims for personal injury, death or property damage or other third party or public liability claims arising from any accident or occurrence upon, in or about the Exhibition Grounds, the Development or Additional Development and from any cause, including the risks occasioned by the construction of the Development or Additional Development, to an amount of not less than \$5,000,000.00 for any personal injury, death, property or other claims in respect of any one accident or other occurrence.

11.02 Insurance Against Fire and Other Perils

Prairieland shall effect and continuously maintain in force throughout the Term of this Lease, insurance upon the Exhibition Grounds, the Development, the Additional Development and all fixtures and

improvements erected upon the Exhibition Grounds and the Development and Additional Development in the joint names of the City and Prairieland protecting both the City and Prairieland (without any rights of cross claim or subrogation against the City) from loss or damage caused by:

- (a) fire; and,
- (b) risks normally insured against in the Province of Saskatchewan for buildings of construction, location and use similar to those situate upon the Exhibition Grounds or comprising the Development or Additional Development; and,
- (c) risks which are normally covered by prudent owners of similar property in the Province of Saskatchewan.

The insurance shall be for the full insurable value of such buildings and property and the replacement value of fixtures and improvements (exclusive of the cost of foundations) and shall in any case be for an amount sufficient to prevent the City being considered a co-insurer. The policies of insurance effected under this paragraph shall, if the City directs, include the interest of any mortgagees or encumbrancers of Prairieland's leasehold interest.

11.03 Premiums and Proof of Insurance

Prairieland shall pay all premiums and costs of all insurance required to be effected by Prairieland under the provisions of this Lease, and shall from time to time, as may be required, keep on file with the City certified copies of insurance policies, renewal contracts and other documents, sufficient to show and establish accurately at all times the current state of policies in force, and, in particular, shall submit to the City before the expiration of every current policy, evidence of the renewal of such policy or the issuance of a replacement policy and of the payment of all premiums due for such renewal or replacement, and shall promptly notify the City of any cancellation or intended cancellation by any insurer of any policy or any circumstances known to Prairieland materially affecting its insurance coverage. Prairieland shall not cancel any policy of insurance without the prior written consent of the City. Each policy shall provide that no cancellation shall be effected without prior notice by the insurer to the City.

11.04 Form of Policy

All policies of insurance required to be taken out by Prairieland in accordance with the terms of this Lease shall be taken out with insurers acceptable to the City and on policies in form satisfactory from time to time to the City. Prairieland agrees that certificates of insurance or, if required by the City, certified copies of each such insurance policy will be delivered to the City as soon as practicable after placing of the required insurance. All policies shall contain an undertaking by the

insurers to notify the City in writing not less than 30 days prior to any material change in terms, cancellation or other termination thereof.

Part XII

Damage or Destruction of the Exhibition Grounds,
the Development or Additional Development

12.01 Term and Rent Unaffected

The Term and Prairieland's obligations to pay Rent, and all other sums payable by Prairieland under the provisions of this Lease, shall not be affected, nor shall such Rent abate or be diminished, in the event of damage to or destruction of the Exhibition Grounds, the Development or Additional Development, or any fixtures or improvements upon the Exhibition Grounds or the Development or Additional Development, regardless of the cause or extent thereof and Prairieland hereby waives the provisions of any statute or rule of law to the contrary now or hereafter in effect, it being the intent of the parties to this Lease that the Exhibition Grounds, the Development and Additional Development and all fixtures and improvements on the Exhibition Grounds and the Development and Additional Development shall be at the risk of Prairieland.

12.02 Partial Damage or Destruction

If the Exhibition Grounds, the Development or Additional Development is destroyed or damaged, but in the opinion of Architects (as certified by them to the City), it is practicable and economic to rebuild or restore the Exhibition Grounds, the Development or Additional Development with changes or alterations, and if Prairieland desires to make such changes or alterations, then all such proposed changes or alterations shall be submitted to the Council of the City for written approval, and no such changes or alterations shall be made without the approval of the City in writing. The provisions of paragraph 4.02 hereof pertaining to the approval of Plans shall be applicable to this paragraph *mutatis mutandis*.

12.03 Standard of Repairs and Replacements

Should the Exhibition Grounds or the Development or any Additional Development be destroyed, Prairieland shall expeditiously reconstruct such Exhibition Grounds, Development and/or Additional Development, or any part thereof, with a new structure(s), and any replacement, repair or reconstruction of such Exhibition Grounds, Development and/or Additional Development, or any part of the Exhibition Grounds, Development and/or Additional Development, shall be done in compliance with Part XIII hereof.

Part XIII

Repairs and Maintenance

13.01 Repair of Exhibition Grounds, Development and Additional Development

Prairieland shall throughout the Term of this Lease, at Prairieland's own expense, keep in good and tenant-like repair the Exhibition Grounds, the Development, the Additional Development and all structures, improvements and fixtures at any time erected thereon (including all building equipment, fixtures, elevators, heating, air-conditioning and plumbing apparatus, and the sidewalks, parking areas and electric lighting fixtures and equipment) whether such repairs are interior or exterior, structural or non-structural, ordinary or extraordinary, foreseen or unforeseen, excepting from such standard of repair reasonable wear and tear to the extent only that such reasonable wear and tear is not inconsistent with the maintenance in good order and condition of the Exhibition Grounds generally. The word "repairs" shall include replacements and renewals when necessary. All repairs made by Prairieland shall be equal in quality to the original work.

13.02 Maintenance of the Exhibition Grounds, Development and Additional Development

Prairieland shall, throughout the Term of this Lease, maintain the Exhibition Grounds, Development and Additional Development and all fixtures and improvements from time to time upon the Exhibition Grounds in a clean and orderly condition, free from any accumulation of dirt, rubbish or water; and, specifically agrees that it shall provide, construct and install, and thereafter maintain, a storm water drainage system upon the Exhibition Grounds which satisfactorily meets the requirements of the site, determined in accordance with generally accepted engineering practices.

13.03 Maintenance of Chattels

Prairieland shall, throughout the Term of this Lease, keep or cause to be kept in good order and condition, reasonable wear and tear excepted, all chattels located in or about the Exhibition Grounds and the Development and Additional Development.

13.04 City has no Obligation to Repair and Maintain

The City is not obliged to furnish any services or facilities (excepting all those public utility services made available by the City for a charge pursuant to separate agreement concluded between the City and the consumer of such services) or to make repairs or alterations, or to maintain the Exhibition Grounds or the Development or Additional Development, and Prairieland hereby assumes full and sole responsibility for the condition, operation, repair, replacement, maintenance and management of the Exhibition Grounds and the Development and Additional Development.

13.05 City's Right to Order Repair

Prairieland shall promptly, upon notice from the City, make and do all repairs and maintenance which Prairieland has hereunder covenanted to perform.

Part XIV
Builders' Liens

14.01 Prevention of Registration of Liens

Prairieland shall not suffer or permit any lien under the Builders' Lien Legislation or any like legislation to be filed or registered against the Exhibition Grounds or the Development or Additional Development, by reason of work, labour, services or materials supplied or claimed to have been supplied to Prairieland, or anyone holding any interest in any part thereof, through or under Prairieland. If any such lien is filed or registered at any time, Prairieland shall procure registration of its discharge within 30 days after the lien has come to the notice or knowledge of Prairieland; but, if Prairieland desires to contest in good faith the amount or validity of any lien and so notifies the City, and if Prairieland deposits with the City, or pays into court to the credit of any lien action, the amount of the lien claimed, then Prairieland may defer payment of such lien claimed for a period of time sufficient to enable Prairieland to contest the claim with due diligence, provided always that neither the Exhibition Grounds nor the Development, nor the Additional Development, nor any part thereof, nor Prairieland's leasehold interest therein, shall thereby become liable to forfeiture or sale. The City may, but shall not be obliged to, discharge any lien filed or registered at any time if in the City's judgment the Exhibition Grounds or the Development or the Additional Development or any part thereof, or Prairieland's interest therein, becomes liable to any forfeiture or sale or is otherwise in jeopardy, and any amount paid by the City in so doing, together with all reasonable costs and expenses of the City shall be reimbursed to the City by Prairieland on demand, together with interest at the Percentage Rate from the date incurred until paid, and may be recovered as Rent in arrears. Nothing herein contained shall authorize Prairieland, or imply any consent or agreement on the part of the City, to subject the City's estate and interest in the Exhibition Grounds, the Development or Additional Development to any lien.

Part XV
Inspection by the City

15.01 Inspection by the City

The City, its employees and agents shall, upon giving reasonable notice to Prairieland, be entitled to inspect the Exhibition Grounds and the Development and Additional Development at any time during usual business hours for the purpose of ascertaining the condition or state of repair thereof, or verifying that the provisions of this Lease are being

complied with, and Prairieland shall, upon reasonable notice, permit access for this purpose.

Part XVI
Dealings with the Exhibition Grounds,
the Development and Additional Development

16.01 Rights of the City

Nothing contained in this Lease prohibits or restricts the City or implies any prohibition or restriction from assigning, encumbering or otherwise dealing with its reversionary interest in the Exhibition Grounds and the Development and Additional Development, but subject always to this Lease and the rights of Prairieland hereunder.

16.02 Subletting

Prairieland may, from time to time, with the prior written consent of the City in each case, but only for the purposes described in 8.01 hereof, enter into subleases of a portion or portions of the Exhibition Grounds, the Development or Additional Development, provided that:

- (a) no such sublease shall be for a term (taking into account any renewals and extensions) which shall extend beyond the expiration of the Term of this Lease;
- (b) nothing herein contained shall authorize Prairieland, or imply any consent or agreement on the part of the City, to subject the City's estate or interest in the Exhibition Grounds or the Development or Additional Development to any sublease;
- (c) no sublease shall release or impair the continuing obligations of Prairieland hereunder.

16.03 Other Dispositions

Neither Prairieland nor any lessee, assignee or encumbrancer of Prairieland may assign or mortgage or encumber the Exhibition Grounds and the Development or Additional Development, or any part thereof, without the prior written consent of the City in each case, which consent, despite any statutory provision to the contrary, may be arbitrarily withheld. Notwithstanding the foregoing, should Prairieland desire to encumber the Exhibition Grounds by way of mortgage so as to facilitate the construction and provision of the Development or the Additional Development, the City agrees that the consent required with respect to any such mortgage shall not be unreasonably withheld. The consent by the City to an assignment, mortgage or encumbrance will not constitute a waiver of its consent to any subsequent assignment, mortgage or encumbrance. This prohibition against assignment, mortgage or encumbrance includes a prohibition against an assignment, mortgage or

encumbrance by operation of law. If this Lease is assigned in any case without the consent of the City when required, the City may collect rent from the assignee and apply the net amount collected to the Rent herein reserved, but no such assignment or collection shall be considered a waiver of this covenant, or an acceptance of any such assignment. Despite an assignment, Prairieland remains fully liable under this Lease. An assignment of this Lease, if consented to by the City, will be prepared by Prairieland and all legal costs of its preparation will be paid by Prairieland.

16.04 Additional Conditions Affecting Assignment by Prairieland

No assignment of this Lease, except an assignment by way of mortgage and to which 16.03 applies, shall be made by Prairieland unless the assignee expressly covenants and agrees with the City to perform and observe all Prairieland's covenants under this Lease and unless the assignee of the interest of Prairieland under this Lease receives an assignment of all of Prairieland's rights relating to the Exhibition Grounds and to the Development and Additional Development.

16.05 Prairieland to Comply with Obligations

Prairieland shall observe and perform all Prairieland's obligations incurred in respect of assignments, subleases, mortgages and encumbrances of Prairieland's leasehold interest and Prairieland's interest in the Exhibition Grounds and the Development and Additional Development, and shall not suffer or allow any such obligations to be in default, and if any such default occurs the City may, but shall not be obliged to, rectify such default for the account of Prairieland, and any amount paid by the City in so doing, together with all reasonable costs and expenses of the City, shall be reimbursed to the City by Prairieland on demand together with interest at the Percentage Rate from the date incurred until paid, and may be recovered as if it were Rent in arrears.

16.06 Acknowledgments by City

The City shall promptly, and whenever requested by Prairieland, execute an acknowledgement or certificate in favour of any actual or prospective assignee, sublessee, mortgagee or encumbrancer of Prairieland's interest permitted by this Lease, acknowledging or certifying the status of this Lease, any modifications of this Lease, any breaches of covenant known to the City, and the state of the Rent account, with the intent that any such knowledge or certificate may be relied upon by any person to whom it is addressed.

Part XVII Indemnity of the City

17.01 Exemption of the City from Liability

The City shall not be liable or responsible in any way for personal or consequential injury of any kind whatsoever that may be suffered or sustained by Prairieland, or any employee, agent, lessee, assignee, invitee or licensee of Prairieland, or any other person who may be upon the Exhibition Grounds or the Development or Additional Development, or for any loss, theft, damage or injury to any property upon the Exhibition Grounds or the Development or Additional Development howsoever caused.

17.02 Indemnity of the City by Prairieland

Prairieland shall indemnify the City against all claims by any person arising from the operation of or any defect or want of repair in the Exhibition Grounds or the Development or Additional Development, or any want of maintenance thereof, or anything done or omitted on or in the Exhibition Grounds or the Development or Additional Development, or any other thing whatsoever, arising from any breach or default or from any negligence by Prairieland, Prairieland's agents, contractors, employees, invitees, lessees, assignees or licensees or from any accident, injury or damage or any other cause whatsoever, and such indemnity shall extend to all costs, counsel fees, expenses and liabilities which the City may incur with respect to any such claims.

Part XVIII Default of Prairieland

18.01 Bankruptcy or Insolvency of Prairieland

If during the Term of this Lease Prairieland makes an assignment for the benefit of creditors, or assigns in bankruptcy, or takes advantage in respect of Prairieland's own affairs of any statute for relief in bankruptcy, moratorium, settlement with creditors, or similar relief of a bankrupt or insolvent debtor, or if a receiving order is made against Prairieland, or if Prairieland is adjudged bankrupt or insolvent, or if a liquidator or receiver of any property of Prairieland is appointed by reason of any actual or alleged insolvency or any default of Prairieland under any mortgage or other obligation, or if the interest of Prairieland in the Exhibition Grounds or the Development or Additional Development becomes liable to be taken or sold under any writ of execution or other like process and remains undischarged for 30 days, then the occurrence of any such contingency shall be deemed to be a breach of this Lease, and at the option of the City, this Lease may be terminated and shall expire as fully and completely as if the date of the happening of such default was the date herein fixed for the expiration of the Term of this Lease, and Prairieland shall quit and surrender the Exhibition Grounds and the Development and Additional Development to the City, but shall, notwithstanding, remain liable for any loss or damage suffered by the City.

18.02 Re-Entry on Certain Defaults by Prairieland

If:

- (a) Prairieland defaults in the payment of Rent or any other sums required to be paid to the City by any provision of this Lease, and such default continues for 15 days after notice thereof is given by the City to Prairieland; or
- (b) Prairieland defaults in performing or observing any of its other covenants or obligations under this Lease, or any contingency occurs which by the terms of this Lease constitutes a breach hereof or confers upon the City the right to re-enter or require the forfeiture or termination of this Lease, and the City gives Prairieland notice of such default or the happening of such contingency, and at the expiration of 30 days after the giving of such notice the default or contingency continues to exist; or
- (c) this Lease expires or is forfeited or is terminated by any other provision in it contained,

then the City or the City's agents or employees may immediately or at any time thereafter:

- (a) re-enter the Exhibition Grounds and the Development and Additional Development; and,
- (b) remove all persons and their property therefrom either by summary eviction proceedings or by any other suitable action or proceedings at law, equity or otherwise, without being liable to any prosecution or damages therefore; and,
- (c) repossess and enjoy the Exhibition Grounds and the Development and Additional Development and all fixtures and improvements thereon,

without such re-entry and repossession working a forfeiture or waiver of the Rents to be paid and the covenants to be performed by Prairieland up to the date of such re-entry and repossession.

18.03 City May Perform Prairieland's Obligations

Without limiting any other remedy which the City may have, the City shall have the right at all times to enter the Exhibition Grounds and the Development and Additional Development for the purpose of curing any defaults of Prairieland, and no such entry for such purpose shall be deemed to work a forfeiture or termination of this Lease, and Prairieland shall permit such entry. The City shall give not less than seven days' notice to Prairieland of its intention to enter for such purpose but may enter upon a shorter period of notice or without notice where, in the City's reasonable judgment, there is a real or apprehended emergency or danger to persons or property, or where any delay in remedying such default would or might materially prejudice the City. Prairieland shall

reimburse the City upon demand for all expenses incurred by the City in remedying any default, together with interest thereon at the Percentage Rate from the date incurred until paid. The City shall be under no obligation to remedy any default of Prairieland, and shall not incur any liability to Prairieland for any action or omission in the course of its remedying or attempting to remedy any such default.

18.04 Right to Relet

If the City re-enters as herein provided, it may either terminate this Lease or it may from time to time without terminating Prairieland's obligations under this Lease, make alterations and repairs considered by the City necessary to facilitate reletting, and relet the Exhibition Grounds or the Development and/or Additional Development or any part thereof as agent of Prairieland for such term or terms and at such rental or rentals and upon such other terms and conditions as the City, in its reasonable discretion, considers advisable. Despite a reletting without termination, the City may elect at any time to terminate this Lease for a previous breach.

18.05 Expenses

If the City terminates this Lease for any breach, in addition to any other remedies it may have, it may recover from Prairieland all damages it incurs by reason of the breach including the cost of recovering the Exhibition Grounds and the Development and Additional Development, together with all reasonable legal fees.

18.06 Legal Expenses

If the City brings an action against Prairieland arising from an alleged breach of a covenant or condition of this Lease to be complied with by Prairieland, and the Court establishes that Prairieland is in breach of the covenant or condition, Prairieland will pay to the City all expenses incurred by the City in the action including reasonable legal fees.

18.07 Distress

Prairieland covenants with the City in consideration of the making of this Lease that despite anything contained in *The Landlord and Tenant Act* of the Province of Saskatchewan and other applicable legislation, none of the goods and chattels of Prairieland on the Exhibition Grounds or the Development or Additional Development is exempt from levy by distress for Rent in arrears, and that upon a claim being made for exemption by Prairieland or on distress being made by the City, this section may be pleaded as an estoppel against Prairieland in an action brought to test the right to levy upon goods named as exempted.

18.08 Notice To and Remedies of Mortgagees and Encumbrancers of Prairieland's Interest

The City covenants that:

- (a) no re-entry, forfeiture or termination of this Lease by the City shall be valid against a mortgagee or encumbrancer of Prairieland's interest permitted by the terms of this Lease who has filed with the City written notice of his encumbrance and specified an address for notice unless the City shall first have given the encumbrancer notice of the default or contingency entitling the City to re-enter, terminate or forfeit this Lease and of the City's intention to take such proceedings, and requiring the encumbrancer to cure the default. The encumbrancer shall thereafter have a specified period, which shall be the shortest period necessary to cure the default with the application of due diligence, but which shall not be less than three months, and shall be permitted access to the lands and the Development and Additional Development for that purpose. If the default is cured within the period specified the encumbrancer shall be entitled to continue as tenant for the balance of the Term remaining at the dates of the notice of default, but only if the encumbrancer attorns as tenant to the City and undertakes to be bound by and to perform all of the covenants of this Lease; and,
- (b) if this Lease is subject to termination or forfeiture pursuant to paragraph 18.01 hereof by reason of the bankruptcy or insolvency of Prairieland, Prairieland's default shall be deemed to have been sufficiently cured if, as against Prairieland, the mortgagee or encumbrancer takes possession and control of the Exhibition Grounds and the Development and Additional Development, assumes this Lease, covenants with the City to perform all the obligations of Prairieland under this Lease, and cures any default by Prairieland within the period specified by this Lease; and,
- (c) any re-entry, termination or forfeiture of this Lease made in accordance with the provisions hereof as against Prairieland shall be valid and effectual against Prairieland even though made subject to the rights of any mortgagee or encumbrancer of Prairieland's interest to cure any default of Prairieland hereunder.

18.09 Remedies of the City Are Cumulative

The remedies of the City specified in this Lease are cumulative and are in addition to any remedies of the City at law or equity. No remedy shall be exclusive, and the City may from time to time have recourse to one or more or all of the available remedies specified herein or at law or equity. In addition to any other remedies provided in this Lease, the City shall be entitled to restrain by injunction any violation or attempted or threatened violation by Prairieland of any of the covenants hereof.

18.10 Waiver

Failure of the City to insist upon the strict performance of any covenant of this Lease shall not waive such covenant, and the waiver by the City

of a breach of term, covenant or condition of this Lease will not be considered to be a waiver of a subsequent breach of the term, covenant or condition or another term, covenant or condition. The acceptance of Rent or other monies due hereunder by the City with knowledge of any breach of any term, covenant or condition by Prairieland shall not be considered to be a waiver of any preceding breach by Prairieland of the term, covenant or condition of this Lease, regardless of the City's knowledge of the preceding breach at the time of acceptance of the Rent or other monies. No covenant, term or condition of this Lease will be considered to have been waived by the City unless the waiver is in writing signed by the City.

Part XIX Expropriation

19.01 Rights of the City on Expropriation

If at any time during the Term of this Lease, the whole or any part of the Exhibition Grounds or the Development or Additional Development shall be taken by any lawful power or authority by the right of expropriation, the City may, at its option, give notice to Prairieland terminating this Lease in its entirety or, only insofar as it affects the part of the Exhibition Grounds or Development or Additional Development taken by the lawful power or authority by right of expropriation, on the date when Prairieland or the City is required to yield up possession thereof to the expropriating authority. Upon such termination, or upon termination by operation of law, as the case may be, Prairieland shall immediately surrender the Exhibition Grounds and the Development and Additional Development or any part thereof taken by the expropriating authority as the case may be, and all its interests therein, and the Rent shall abate and be apportioned to the date of termination and Prairieland shall forthwith pay to the City the apportioned Rent and all other amounts which may be due to the City up to the date of termination. Prairieland shall have no claim upon the City for the value of its property or the unexpired Term of this Lease, but the parties shall each be entitled separately to advance their claims for compensation for the loss of their respective interest in the leased premises taken. The parties shall be entitled to receive and retain such compensation as may be awarded to each respectively.

Part XX Determination of Disputes

20.01 Determination of Disputes as Provided for in this Lease

Where in this Lease it is specifically provided that any computation, fact, value, amount or other matter or any dispute concerning the same is to be determined in a particular way, such provision shall govern, and any determination made in accordance therewith shall be binding upon the parties hereto.

20.02 Determination of Other Disputes

Except where this Lease provides for the manner of determining a dispute and that the determination so made shall be binding upon the parties, the parties shall have all their normal remedies at law or equity and, in particular, nothing herein shall deprive the City of all its legal and equitable remedies for the enforcement of any breach of covenant by Prairieland under this Lease.

Part XXI Miscellaneous

21.01 Notice

Each notice, demand and request that may or must be given pursuant to this Lease must be in writing and is sufficiently given if sent by registered mail, and in the case of the City, addressed to it as follows:

The City of Saskatoon
c/o City Clerk
222 Third Avenue North
Saskatoon, Saskatchewan
S7K 0J5

and in the case of Prairieland, addressed to it as follows:

Saskatoon Prairieland Exhibition Corporation
c/o General Manager
Administration Building, Exhibition Grounds
P. O. Box 6010
Saskatoon, Saskatchewan
S7K 4E4

or at such other addresses as the parties may advise from time to time by notice. Assignees and mortgagees permitted under 16.03 hereof must supply their respective mailing addresses to the City. The date of receipt of the notice, demand or request shall be considered to be the second business day following the date of the mailing.

21.02 No Relationship Except Landlord and Tenant

This Lease is not intended to create a relationship other than that of landlord and tenant as to the Exhibition Grounds or the Development or Additional Development. The City does not in any way or for any purpose become a partner of or a member of a joint venture or joint enterprise with Prairieland.

21.03 Time of the Essence

Time is of the essence of this Lease.

21.04 Amendments must be Equally Formal

This Lease may not be amended except by instrument in writing of equal formality signed by the parties to this Lease or their successors or assigns as limited in this Lease.

21.05 Successors and Assigns

This Lease binds and benefits the parties and their respective successors and assigns as limited in this Lease.

In Witness Whereof the parties have hereunto affixed their corporate seals attested to by the hands of their proper signing officers in that behalf, as of the effective date first above written.

The City of Saskatoon

Mayor

City Clerk

Saskatoon Prairieland Exhibition Corporation

c/s

Schedule "A"

Legal Descriptions of the "Lands"

All that portion of the North East Quarter of Section 17, Township 36, Range 5, West of the Third Meridian, Saskatchewan, shown as Parcel "A" on Plan 68-S-14855. Mines and Minerals Excepted by 88-S-38858-1.

All that portion of the North East Quarter of Section 17, Township 36, Range 5, West of the Third Meridian, Saskatchewan, shown as Parcel "C" on Plan 72-S-03709. Mines and Minerals Excepted by 88-S-38858-1.

All that portion of the North East Quarter of Section 17, Township 36, Range 5, West of the Third Meridian, Saskatchewan, shown as Parcel "D" on Plan 88-S-38862. Mines and Minerals Excepted by 88-S-38858-1.

Legal Subdivisions Nine (9) and Ten (10) of Section Seventeen (17), in Township Thirty-six (36), in Range Five (5), West of the Third Meridian, in the Province of Saskatchewan, in the Dominion of Canada, Except: Out of Legal Subdivision Ten (10), the most Westerly Thirty-three (33) feet in width throughout. Minerals Included.

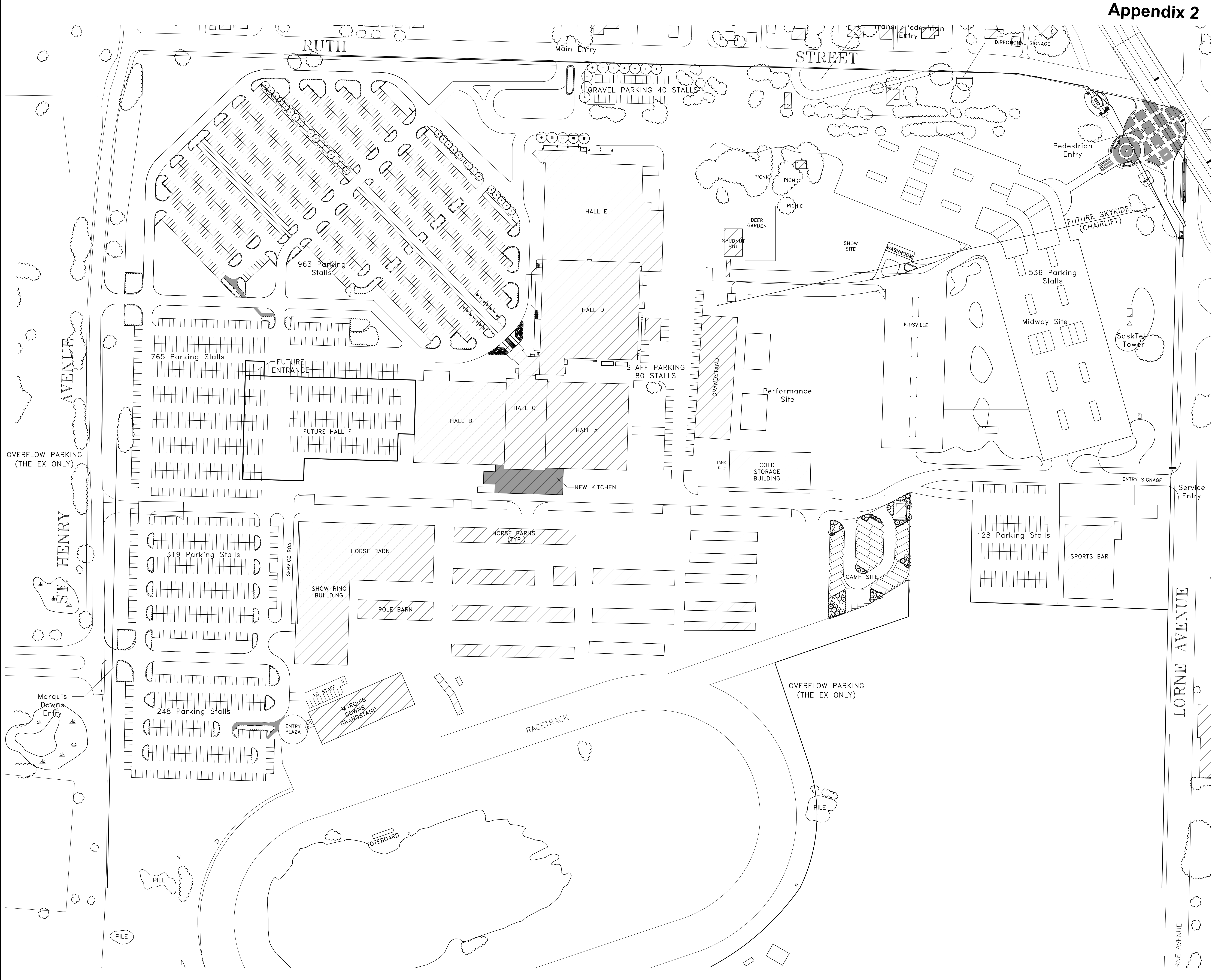
Legal Subdivision 15 and 16 of Section 17, Township 36, Range 5, West of the Third Meridian, Saskatchewan, 80 acres, Except:

- Firstly: All that portion taken for Right of Way of the Qu'Appelle Long Lake and Saskatchewan Railway, containing .416 of an acre, Plan CS 2640,
- Secondly: The Most Westerly 33 feet in depth throughout,
- Thirdly: 0.11 of an acre, Parcel A, for Roadway, Plan 63-S-16287,
- Fourthly: All that portion shown on Plan 69-S-14829,
- Fifthly: All that portion shown as Parcel D, Plan 88-S-38862.

Mines and Minerals Excepted by 88-S-38858-1.

NOTES:
1. Do not scale drawings.
2. All dimensions and datum are to be checked by the Contractor. Report any discrepancies to the Consultant before proceeding.
3. This drawing is an instrument of Service and is the property of the Consultant and may be reproduced only with their written permission. Information shown is for use on this project only. Copyright protected.

REVISIONS		
No.	DESCRIPTION	DATE



CONSULTANT	
PROJECT PRARIELAND PARK CONCEPT SITE PLAN	
SASKATOON, SASKATCHEWAN	
DRAWING NAME OVERALL SITE PLAN	
DRAWN DATE FILE CHECKED	DRAWING P0



STANDING POLICY COMMITTEE ON PLANNING, DEVELOPMENT AND COMMUNITY SERVICES

Francophone and Francophile Cities Network of America – City of Saskatoon Membership

Recommendation of the Committee

That the City of Saskatoon become a member of the Francophone and Francophile Network Cities of America.

History

At the November 5, 2019 Standing Policy Committee on Planning, Development and Community Services meeting a report of the General Manager, Community Services Department dated November 5, 2019 was considered.

Attachment

November 5, 2019 report of the General Manager, Community Services Department

Francophone and Francophile Cities Network of America – City of Saskatoon Membership

ISSUE

On March 19, 2019, the City of Saskatoon received a letter from Eric Lefol, General Manager of the Fédération des Francophones de Saskatoon (FFS), informing the Mayor and City Council of the benefits of membership in the Francophone and Francophile Cities Network of America (FFCANA). At the April 8, 2019 Standing Policy Committee on Planning, Development and Community Services meeting Eric Lefol, Scott Bell and Dustin McNichol (all of FFS) presented the history and background of the FFCANA and requested that the City of Saskatoon consider signing on as a member city.

RECOMMENDATION

That the Standing Policy Committee on Planning, Development and Community Services recommend to City Council that the City of Saskatoon become a member of the Francophone and Francophile Network Cities of America.

BACKGROUND

History

The Standing Policy Committee on Planning, Development and Community Services, at its meeting held on April 8, 2019, considered the information presented by the FFCANA and the Committee resolved:

- “1. That the information be received; and
2. That the Administration submit a report providing an option for the City to affiliate with the Francophone and Francophile Cities Network of America and include engagement with the three organizations that brought this proposal forward, as well as with Tourism Saskatoon, as part of the review of this proposal.”

Public Engagement

Administration met with FFS on August 30, 2019. They confirmed the advantages of becoming a member of FFCANA emphasizing the purpose of the network which is to:

1. Preserve and promote shared French heritage and culture;
2. Generate productive relationships that benefit the tourism, cultural, and economic sectors;
3. Develop and promote unique tourist circuits based on their historic, linguistic, genealogic, economic and cultural ties with the French culture; and
4. Have privileged access to the vast potential of Francophone and Francophile tourists from all over Quebec, America and worldwide.

FFS, the local community organization, also gave an example of what they might ask of the City, which is to identify French speaking employees who work at City Hall to help with translation when needed.

Francophone and Francophile Cities Network of America – City of Saskatoon Membership

The FFCNA confirmed the statements above and emphasized the need for connections between and amongst Francophone communities in Saskatchewan in the tourism, cultural and economic sectors. They confirmed there is no cost to join the network nor any expectation of receiving City funding. The expectations, as outlined in the FFCNA Strategic Plan (see Appendix 1), are shown below:

Responsibilities of member cities:

1. Consolidate partnerships with local and provincial Francophone organizations;
2. Collaborate with other member cities on the valorization of the Francophonie;
3. Develop authentic and sustainable tourist routes; and
4. Enhance and promote their tourist attractions linked to the Francophonie.

Responsibilities of the Network:

1. Support the development of tourist routes;
2. Create tools and services for member cities;
3. Support projects through seeking of funding and resources;
4. Promote member cities and their tourist attractions; and
5. Organize yearly training meetings for member cities.

Tourism Saskatoon expressed support for the City to become a member of the FFCANA as there has been an increase in inquiries and travel to Saskatoon from both French-speaking Canadians and France. This may be due to recent investment in promotion of Metis Culture through projects such as the Trails of 1885, and new Indigenous products and experiences being developed in Saskatoon and the region. Further to this networking through the FFCANA will aid in tourism promotion.

Presently the only city in Saskatchewan that is a member of the FFCANA is Prince Albert, having signed in March 2019.

DISCUSSION/ANALYSIS

The City of Saskatoon has had ongoing communications and relations with FFS, the local organization, for at least a decade and they are a known entity and trusted community partner. The FFCANA is a relatively new organization, having been formed in 2015.

Given the information gathered from speaking to the three stakeholders, as well as with the City of Prince Albert, the City of Saskatoon would be well served to be a part of a Francophone network regionally, nationally and internationally. Given that French is an official language of Canada and there are many francophone residents, as well as students in French and French Immersion schools, having a connection to a larger network could be an advantage for all residents.

Both the Francophone Network in Quebec, as well as the FFS, speak of the possibilities of cross-cultural networking with the Metis community through this membership. As one example, Saskatoon could follow the lead of what is happening in Manitoba where a Metis

Francophone and Francophile Cities Network of America – City of Saskatoon Membership

organization in Winnipeg is working on a tourist route that follows the legacy of Louis Riel, a francophone Métis leader, for Manitoba and Western Canada.

IMPLICATIONS

There are no financial implications as membership in the network is free.

Pending direction of City Council, Administration will then determine which Division will take the lead to manage the membership and maintain the relationship with both FFS and FFCANA.

NEXT STEPS

Administration will work with the partners listed above to begin the application process upon approval.

APPENDICES

1. Francophone and Francophile Network Strategic Plan 2019-2022

REPORT APPROVAL

Written by: April Sora, Diversity and Inclusion Consultant, Recreation and Community Development
Reviewed by: Tenille Thomson, Social Development Manager, Recreation and Community Development
Kevin Kitchen, Community Development Manager
Andrew Roberts, Director of Recreation and Community Development
Approved by: Lynne Lacroix, General Manager, Community Services Department

SP/2019/RCD/PDCS – FFCANA – COS Membership/pg



Réseau des villes francophones
et francophiles d'Amérique

Strategic Plan 2019-2022



Founding cities



Managed by



Thanks to funding from



FFCN STATUS AND PROGRESS

Membership statistics

As at March 31, 2019, the FFCN has 152 member cities across 9 Canadian provinces, 17 U.S. states, Haiti, Martinique, and Guadeloupe.

Rendez-vous and interim working meetings: Connecting members for immediate impact

- Since its founding, the FFCN has met annually to set its vision and define member objectives. Meetings to date: founding Rendez-vous in Québec City in 2015 (Québec, Canada), interim working meeting in Lafayette in 2016 (Louisiana, U.S.), Rendez-vous in Québec City in 2017, interim working meeting in Grande Prairie in 2018 (Alberta, Canada), and Rendez-vous in Moncton in 2019 (New Brunswick, Canada).

Several cities have already expressed interest in hosting the FFCN's next couple gatherings:

- 2020: Interim working meeting in Winnipeg (Manitoba, Canada)
- 2021: Rendez-vous in Lafayette (Louisiana, U.S.)

Current collaborations and projects

A number of projects and collaborations are currently in the conception or development stage within the FFCN:

- **The Franco-Route of New England** connects the cities of Lewiston-Auburn (ME), Biddeford (ME), Manchester (NH), and Woonsocket (RI) across three U.S. states to tell the story of New England's French heritage. It has been supported by the FFCN since its inception.
- **Pilot project on economuseums and tourist routes** in three Franco-Albertan regions (Alberta, Canada): An agreement was signed between the Alberta Bilingual Municipalities Association (ABMA) and the Centre in September 2018 to begin this initiative, and a funding application was submitted.
- **Tourist route on the legacy of Louis Riel** (Manitoba, Canada), a francophone Métis ambassador for Manitoba and Western Canada: This project is being developed with the support of funding from Fondation de la langue française (Fonds Langelier).
- **Tourist routes in New Brunswick** (New Brunswick, Canada): This project is at the conception stage and is being developed in collaboration with FFCN based on an agreement signed between Association francophone des municipalités du Nouveau-Brunswick (AFMNB) and the Centre in January 2019. This project is being developed with the support of funding from Fondation de la langue française (Fonds Langelier).
- **Cultural exchanges:** The FFCN enables cities to build ties through projects that bring communities together. The City of Biddeford (Maine, U.S.) is doing just that with the City of Québec. Proud of his town's French roots, the mayor of Biddeford invited Québec City to participate in **La Kermesse Franco-Américaine Festival** in June 2018. Québec City answered the call with one of its up-and-coming musical artists. The following week, the mayor of Québec City welcomed the mayor of Biddeford as guest of honour at the July 3 celebrations.

Internships within the FFCN

Since 2017, thanks to an agreement with Les Offices jeunesse internationaux du Québec (Lojiq), FFCN member cities and partner organizations have had access to interns to develop projects related to the FFCN.

- In 2018 internships were completed at the Museum of Work and Culture (Woonsocket, U.S.), the Council for the Development of French in Louisiana (Louisiana, U.S.), and the City of Ottawa (Ontario, Canada).
- In 2019 internships were completed at the Museum of Work and Culture in Woonsocket (Rhode Island, U.S.), Association canadienne-française de l'Alberta (Edmonton chapter, Alberta, Canada), Assemblée communautaire fransaskoise (Saskatchewan, Canada), Museum L-A (Maine, U.S.), and the City of Lafayette (Louisiana, U.S.).

In 2008 the mayor of Québec City suggested creating a continental network for municipalities to share their history, heritage, experience, and expertise. The mayors of Moncton, New Brunswick (Canada), and Lafayette, Louisiana (U.S.) welcomed the idea. In 2015, the three founding cities joined forces with Centre de la francophonie des Amériques (the Centre)* to create the Francophone and Francophile Cities Network (FFCN). In July 2018, the Centre took over the operation of the FFCN as part of an agreement with the City of Québec. Its responsibilities include:

- Promote activities to develop the FFCN and its leadership to keep it going strong and demonstrate its benefits
- Consult with francophone and francophile cities, communities, and associations to draft and implement a strategic plan
- Assist FFCN members with their tourist routes and tours as well as any other project related to the FFCN's mission

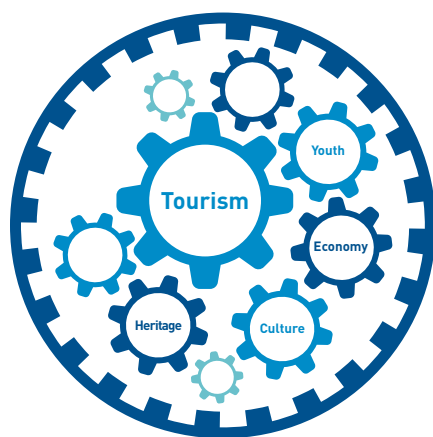
THE FFCN'S APPROACH

The FFCN enables members to work together and collaborate to create links that generate tourism, economic, and cultural benefits for cities and their communities. It views La Francophonie as offering a unique development model based on productive ties and solid partnerships that benefit cities and francophone communities, where the development of some hinges on the vitality of others.

This three-year strategic plan (2019–2022) would use tourism to drive community development and transformation. This is an innovative approach designed to rally entire communities at a time when the tourism industry is booming.

Develop tourist routes and attractions that illustrate and celebrate francophone culture

Developing tourist routes draws on the experience of local communities. Member cities and their communities are encouraged to think about ways to create unique experiences for visitors based on their region's francophone heritage and four centuries of French history in the Americas. As operator of the FFCN, the Centre offers to help members develop their tourist routes and projects to grow their communities through a participatory, inclusive approach that respects cultural diversity.



Become an agent of change, creating a cultural and social footprint

The FFCN acts as an agent of change, using cultural tourism to boost community development and support a thriving local francophone culture that contributes to the community. Tourism in turn stimulates other development areas important to the FFCN, such as history, heritage, culture, the economy, and especially the social economy, and young people, who are increasingly engaged and mobile. The economy generated through the increase in tourist experiences and products and the promotion and use of tourist routes is not only profitable but also creates a sustainable cultural and social footprint. Lastly, the FFCN works to engage young people through innovation (internships, educational opportunities, youth forums, etc.) and spark a new, unifying conversation around what it means to live together well.

Website to give members visibility

A new website will be developed to boost visibility for members, their francophone heritage, and their tourist attractions. A members-only section will also provide access to innovative development tools they can use in their projects.

* From its mission statement: "Centre de la francophonie des Amériques helps promote and nurture the future of the French language in a context of cultural diversity by strengthening and enriching relations between francophones and francophiles from Québec, Canada, and elsewhere in the Americas and fostering complementary actions."

Vision

The Francophone and Francophile Cities Network is an innovative vehicle for economic, linguistic, cultural, and tourism development.

Mission

To be a network of francophone and francophile cities that dream up and develop collaborative projects, form partnerships, and forge ties that support economic, linguistic, cultural, and tourism development in member cities and reinforce the vitality of francophone communities while preserving their common heritage.

Principles

Authenticity • Cultural and social footprint • Inclusion • Public engagement • Celebrating La Francophonie • Solidarity

2019–2022 ACTION PLAN AND STRATEGIC OUTCOMES

Strategic outcome	Activities	Strategic objectives	Indicators	Targets
1 FFCN member cities collaborate to preserve and promote the roots , heritage, culture, and language of La Francophonie in the Americas	1 Management committee meetings (the three founding cities and the Centre)	<ul style="list-style-type: none"> Provide common, collaborative leadership Hold management committee meetings 	<ul style="list-style-type: none"> Attendance rate at management committee meetings 	2 meetings
	2 Rendez-vous and interim working meetings	<ul style="list-style-type: none"> Make the Rendez-vous (2019 and 2021) and interim working meetings (2020 and 2022) a stimulating forum for FFCN members Support the host city with suggested programming that meets member expectations Grow membership in FFCN 	<ul style="list-style-type: none"> Attendance rate of member cities and organizations at Rendez-vous and interim working meetings Number of municipal and community stakeholders involved in organizing meetings Number of new members Live and post-webcast view rates of activities on website Attendee satisfaction rate 	2 Rendez-vous (280 attendees/ 60 cities) and 2 working meetings (100 attendees/ 20 cities)
	3 Establish partnerships and collaborations	<ul style="list-style-type: none"> Sign agreements to develop projects and support the work and expansion of the FFCN 	<ul style="list-style-type: none"> Number of agreements with local or regional representatives Number of agreements with institutional partners (governments, foundations, education, etc.) 	3 regional agreements 2 institutional agreements

Strategic outcome	Activities		Strategic objectives	Indicators	Targets
2 Through the FFCN, francophone and francophile cities are developing and offering unique tourist routes based on the historical, linguistic, heritage, genealogical, economic, and cultural ties between francophone cities across the Americas	4	Support pilot projects	<ul style="list-style-type: none">• Pilot tourist routes (New England, Alberta, New Brunswick)• Create a list of specifications	<ul style="list-style-type: none">• Number of proposed pilot projects• Funding obtained for pilot projects	3 pilots 1 specifications list
	5	Assist members with their tourist route projects	<ul style="list-style-type: none">• Support members in developing their tourist routes	<ul style="list-style-type: none">• Number of tourist route projects implemented	3 routes

Strategic outcome		Activities	Strategic objectives	Indicators	Targets
3	FFCN member cities have access to new tools to help them develop and publicize their tourist routes and attractions and their cultural products	6	Methodology guide	<ul style="list-style-type: none">Produce a living methodology guide for how to develop tourist routes	<ul style="list-style-type: none">Completion rateUsage rate <div>1 guide</div> <div>1 specifications list</div>
		7	Website and newsletters	<ul style="list-style-type: none">Refresh the Network's websiteProduce a newsletter for members	<ul style="list-style-type: none">Website and newsletter view ratesNumber of city profilesNumber of routes, attractions, or cultural products publicized on the website <div>1 site</div> <div>12 newsletters</div> <div>130 cities</div> <div>4 routes</div>
		8	Support and training program	<ul style="list-style-type: none">Offer training in tourism development	<ul style="list-style-type: none">Number of training programsEnrolment rateSatisfaction rate <div>2</div>
		9	Research and innovation	<ul style="list-style-type: none">Sign collaboration agreements with tourism research and educational institutionsDistribute information about innovation in tourism development and La Francophonie	<ul style="list-style-type: none">Number of collaboration agreementsNumber of articles shared <div>2</div> <div>5</div>
		10	Internships	<ul style="list-style-type: none">Offer members interns to assist them with their development projectsGive interns the tools they need to raise awareness among local stakeholders to meet the challenges of francophone tourism development	<ul style="list-style-type: none">Number of calls for internships offeredNumber of internships completedRenewal of Lojiq agreement <div>18</div> <div>8</div>
		11	Share services and expertise among members (social responsibility)	<ul style="list-style-type: none">Create a platform for sharing services (translation, consultation, etc.)	<ul style="list-style-type: none">Number of services offeredNumber of times services are used <div>10 services</div>

ADVANTAGES AND POTENTIAL BENEFITS OF MEMBERSHIP

Advantages

- Gain access to the only network of its kind in the Americas, where **lasting ties** can be built between cities and/or communities of all sizes through collaborations and partnerships in support of a strong, thriving Francophonie both locally and across the Americas.
- **Share resources and expertise** with other members.
- **Boost visibility for La Francophonie, the regions,** and their attractions across the Americas, and especially **amplify the visibility of smaller municipalities** through their francophone connection.
- Access innovative **tourism development tools** and **training** custom-created for members based on their particular situations and challenges.

Potential benefits

- Develops an **economy that is sustainable** because it mobilizes the entire community while respecting its diversity.
- Brings francophone and non-francophone residents **closer together**.
- **Revitalizes the French language** by creating services in French and developing francophone tourism.
- **Fosters pride** in celebrating local francophone heritage.
- Creates **jobs** to provide services related to the tourist routes and cultural products.
- **Retains** more young people (francophone and non-francophone).
- **Diversifies the economy** through community-building tourism projects.



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Operator of the Francophone
and Francophile Cities Network

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STANDING POLICY COMMITTEE ON PLANNING, DEVELOPMENT AND COMMUNITY SERVICES

2019 Adjusted, and 2020 Preliminary Prepaid Servicing Rates (Direct and Offsite)

Recommendation of the Committee

1. That an adjustment be approved to the 2019 Prepaid Service Rates, as submitted under Appendix 1 to the November 5, 2019 Report of the General Manager, Transportation and Construction Department; and
2. That the Preliminary 2020 rates be set at the 2019 rates, and adjusted in late 2020 based on actual 2020 contract costs.

History

At the November 5, 2019 Standing Policy Committee on Planning, Development and Community Services meeting a report of the General Manager, Transportation and Construction dated November 5, 2019 was considered. Your Committee received a presentation from Ms. Chris Guerette, CEO, Saskatoon & Region Home Builders' Association regarding the matter.

Attachment

November 5, 2019 report of the General Manager, Transportation and Construction

2019 Adjusted, and 2020 Preliminary Prepaid Servicing Rates (Direct and Offsite)

ISSUE

The prepaid service rates were last approved on November 19, 2018. The Land Development Section has reviewed the actual 2018 costs of land developed by the City, as well as the 2019 tenders received to date and changes in standards, in order to establish the proposed adjustment to 2019 offsite and direct service rates. This report is seeking City Council approval for the 2019 final adjusted Prepaid Service Rates, and to set the preliminary rates for 2020.

RECOMMENDATION

That the Standing Policy Committee on Planning, Development and Community Services recommend to City Council:

1. That an adjustment be approved to the 2019 Prepaid Service Rates, as submitted under Appendix 1; and
2. That the Preliminary 2020 rates be set at the 2019 rates, and adjusted in late 2020 based on actual 2020 contract costs.

BACKGROUND

The City of Saskatoon's financial source of revenue for the construction of infrastructure in new areas within the city is the prepaid service rates. The prepaid service rates were established on the premise that new development should pay the cost of the services provided. City Council has resolved that general revenues are not to be used to fund the services covered by these rates.

The prepaid rates are divided into two major servicing categories: direct services, which benefit the frontage of new property; and offsite services, which benefit the neighbourhood or catchment area as a whole.

The Administration has prepared the rates with the understanding that shortfalls may be absorbed in the following year's process. The risk in this method is the possibility of a following year where limited construction is forecasted but shortfalls are evident. To mitigate this potential problem, the Administration attempts to wait for a considerable cross section of tenders to be awarded in order to arrive at a reasonable overall prepaid service rate.

The proposed rates provided within this report were discussed and received by Saskatoon Land, Corporate Financial Services Department, as well as with the Developers' Liaison Committee. The Developers' Liaison Committee meets a number of times per year and is informed of various topics including possible changes to the prepaid service rates.

If City Council continues the policy, whereby, new development funds the entire cost of servicing new development, the proposed rate increases are required to meet projected and actual expenditures. The present rates do not reflect the cost of interest or carrying costs which are funded from the prepaid services reserves.

CURRENT STATUS

The City has awarded many of the planned tenders for construction of various services in 2019. This year's program will eventually involve awarding tenders for the partial direct servicing of land within the Aspen Ridge and Brighton neighbourhood, in addition to continued offsite service construction in various areas. Other direct service construction includes road and utility work not completed from previous contracts in the Aspen Ridge neighbourhood. Offsite service tenders will include arterial roadways along Wanuskewin Road, McOrmond Drive and Taylor Street; primary water mains and trunks sewers in Aspen Ridge; and a huge trunk sewer and primary water main construction project within the Holmwood Sector.

DISCUSSION/ANALYSIS

The offsite levies comprise services that are common to the entire neighbourhood or geographical catchment area. These services usually benefit a number of neighbourhoods and are derived from studies that encompass very large piping and roadway systems. Many of the tenders have been awarded this year, and the cost analysis of these tenders, including information on construction costs from last year as well as forecasts of upcoming tenders, are the basis for the prepaid service rates. The net overall inflationary pressures for new development have dramatically stabilized in 2019 and the provincial Sales Tax (PST) has been fully integrated into all current tenders. Oil and gas prices, including diesel fuel which is a major component of servicing land, had started to increase in 2018 but have now stabilized and/or decreased. Some slight upward pressure in asphalt mixes and emulsions as well as ready-mix concrete is still present, as verified by average Statistics Canada Industry Price Indexes. Plastic polyethylene, plastic pipe fittings and unions have shown a very flat change in prices over the last year. Contract unit prices on average, as reviewed within tenders, are very similar in comparison to 2018's levels. It is assumed that contract prices will stay fairly constant through most of the remaining tendering process in 2019 even though capacity within the industry is slowly decreasing. Within the analysis of individual rates, changes have occurred. The effect of these changes will require an adjustment to the prepaid rates (Appendix 1).

The information provided below is a brief breakdown of the various services covered under the direct and offsite rates (see Appendix 2 for complete details).

2019 Adjusted, and 2020 Preliminary Prepaid Servicing Rates (Direct and Offsite)

Water and Sewer Servicing

It is recommended that the general construction rate change by the following percentages, with similar changes noted within Appendix 2 for other zoning classifications:

Water and Sewer Mains	0.9%
Water and Sewer Connections	0.0%
Trunk Sewers	1.4%
Primary Water Mains	0.4%
Lift Stations	0.0%

Roadways

The net effect on the prepaid service rates for this category is as follows:

Grading	0.0%
Buffers	0.0%
Fencing	0.0%
Sidewalks and Curbing	0.0%
Paving	1.7%
Arterial Roadways	1.8%
Interchanges	0.0%
Lanes	47.3%*

*Paving of lanes has become a standard and a change in the structure of the lanes over the years has also been instituted over time. The consensus is that lanes should be exclusively funded from prepaid service reserves and therefore the total cost is now reflected within the rate.

Utilities

The recommended change to the utility rates is as follows:

Street Lighting	-17.6%*
Gas Servicing	0.0%
Underground Electrical Servicing	7.7%**

*In 2019, it was decided that the delivery of street light bases and conduit could be more efficiently constructed during the roadway phase. This approach was approved at the Developers' Liaison Committee meeting during this last winter and has been implemented where applicable in 2019. SL&P is involved in all of the electrical aspects of wiring and connecting the street lighting system to the electrical grid. As a result of these measures, the street lighting charge has been reduced by \$17.20 per front metre for 2019.

**Represents a final adjustment for the applications received following City Council approval of the rates in November 2018.

Administration

The servicing fees for the administration of the land development program are increased each year in tandem with possible changes to the standard collective agreement and the car allowance rate, where applicable. For 2019, the changes will be between 0.7 and 1.2%.

Parks and Recreation Levy, Community Centres

The Parks and Recreation Levy is a significant portion of the total offsite levies and is submitted as a separate report from the Community Services Department. The inclusion within this report is to illustrate completeness of the prepaid service rate schedule.

The levy for community centres has been implemented as a separate charge per residential neighbourhood, calculated on a front metre basis for all saleable property. This levy will also be reported on by the Community Services Department.

IMPLICATIONS

The financial impact of increasing the prepaid rates is to ensure the costs to prepare serviced lots for sale in Saskatoon is in equilibrium with the revenue generated from the sale of these lots. The overall prepaid service rates for the recovery of costs for residential property will change by 0.8%.

There are no legal, social or environment implications identified.

NEXT STEPS

The rates are approved by City Council each year and will be reviewed and presented again in one year.

APPENDICES

1. 2019 Adjusted Residential Prepaid Service Rates
2. 2019 Prepaid Service Rate Evaluation

Report Approval

Written by:	Daryl Schmidt, Land Development Manager
Reviewed by:	Matt Jurkiewicz, Director of Construction & Design
Approved by:	Terry Schmidt, General Manager, Transportation & Construction Department

Admin Report - 2019 Adjusted, and 2020 Preliminary Prepaid Servicing Rates (Direct and Offsite).docx

SCHEDULE I

2019 ADJUSTED RESIDENTIAL PREPAID SERVICE RATES

Application:

All lots and/or parcel having an area less than 1,000 square metres and zoned R1, R1A, R1B, R2, RMHC, RMHL, R2A, RM1, RM2. RMTN, RMTN1 < 40 metres in depth.

Cost Per Front Metre:

		2018	2019	
		Final Rates	Proposed Rates	% Change
Direct Services:				
1.	Water Mains, Sanitary Sewer Mains, and Storm Sewer Mains	\$1,573.50	\$1,588.05	0.9
2.	Grading	453.95	453.95	0.0
3.	Sidewalks	444.80	444.80	0.0
4.	Paving	1006.60	1023.80	1.7
5.	Street Lighting	97.50	80.30	-17.6
	Subtotal Direct Services	3576.35	3590.90	0.4
Offsite Services:				
1.	Trunk Sewer Levy	643.70	653.00	1.4
2.	Primary Watermain Levy	165.70	166.35	0.4
3.	Arterial Road Levy	613.50	624.50	1.8
4.	Interchange Levy	101.00	101.00	0.0
5.	Parks and Recreation Levy	420.85	428.35	1.8
6.	Buffers	39.70	39.70	0.0
7.	Signing and Signals	17.50	17.50	0.0
8.	Fencing	11.75	11.75	0.0
9.	Planning	16.70	16.90	1.2
10.	Municipal Administration	12.15	12.30	1.2
	Subtotal Offsite Services	2042.55	2071.35	1.4
TOTAL		\$5,618.90	\$5,662.25	0.8
Others: (Where Applicable)				
1.	Water and Sewer Connection (per lot)	\$4,214.25	\$4,214.25	0.0
2.	Lift Station Levy (where applicable)	100.35	100.35	0.0
3.	Inspection (Private Development)	20.30	20.45	0.7
4.	Long Term Warranty	18.75	18.75	0.0
5.	Lanes (Where Applicable)	274.90	404.95	47.3
6.	Telephone/Gas (per City lot)	1729.00	1729.00	0.0
7.	Electrical Servicing (per lot)	659.00	710.00	7.7
8.	Servicing Agreement Fee	2561.00	2587.00	1.0
9.	Community Centres (per neighbourhood)			

SCHEDULE II

2019 ADJUSTED INSTITUTIONAL, COMMERCIAL AND SCHOOL

PREPAID SERVICE RATES

Application:

All lots and/or parcels zoned M1, M2, M3, M4, MX, B1A, B1, B2, B3, B4, B5, B6, DCD1, B1A, B1B, B4A, B5B, B5C, B1, B2, B3, B4, B5, B6, RA, RM3, RM4, RM5. RMTN, RMTN1 > 40 metres in depth.

All lots having an area greater than 1,000 metres and zoned R1, R1A, R2, R2A, RMHC, RMHL, RM1, RM2, AG, FUD, APD, PUD, PPD.

All lots and/or parcels zoned contract zoning and located in a Residential, Commercial or Institutional Subdivision.

Cost Per Front Metre:

	2018 Final Rates	2019 Proposed Rates	% Change
Direct Services:			
1. Water Mains, Sanitary Sewer Mains, and Storm Sewer Mains	\$1,967.70	\$1,986.00	0.9
2. Grading	594.25	594.25	0.0
3. Sidewalks	757.20	757.20	0.0
4. Paving	2330.60	2348.20	0.8
6. Street Lighting	112.10	94.50	-15.7
Subtotal Direct Services	5761.85	5780.15	0.3
Offsite Services:			
1. Trunk Sewer Levy	906.05	919.15	1.4
2. Primary Watermain Levy	165.70	166.35	0.4
3. Arterial Road Levy	613.50	624.55	1.8
4. Interchange Levy	202.00	202.00	0.0
5. Parks and Recreation Levy	420.85	428.35	1.8
6. Buffers	39.70	39.70	0.0
7. Signing and Signals	17.50	17.50	0.0
8. Fencing	11.75	11.75	0.0
9. Planning	16.70	16.90	1.2
10. Municipal Administration	12.15	12.30	1.2
Subtotal Offsite Services	2405.90	2438.55	1.4
TOTAL	\$8,167.75	\$8,218.70	0.6
Others: (Where Applicable)			
1. Lift Station Levy (where applicable)	\$100.35	\$100.35	0.0
2. Inspection (Private Development)	20.30	20.45	0.7
3. Long Term Warranty	18.75	18.75	0.0
4. Lanes (Where Applicable)	274.90	404.95	47.3
5. Servicing Agreement Fee	2561.00	2587.00	1.0
6. Community Centres (per neighbourhood)			

SCHEDULE II - Continued

Notes:

- a) Parcels over 60 metres in depth.

Charges are assessed on an area basis at the rate of 169 front metres per hectare for underground services, area grading, arterial roads, interchanges and the parks & recreation levy.

Area rate: $169 \times \$4,920.65 = \$831,589.85$ per hectare.

A charge for Community Centres is also calculated on an area basis for parcels greater than 60 metres in depth. The rate varies based on the size of the neighbourhood.

- b) School property is assessed for prepaid services at the same rates as Institutional and Commercial for all items except the Trunk Sewer Levy. The trunk Sewer Levy rate for schools is the same as the Residential Trunk Sewer Levy, therefore:

1) For parcels less than 60 metres in depth, the total rate for underground services, area grading, arterial roads, interchanges, and parks and recreation is \$4,654.50 per front metre.

2) For parcels greater than 60 metres in depth, the total rate for underground services, area grading, arterial roads, interchanges, and parks and recreation is $169 \times \$4,654.50 = \$786,610.50$ per hectare.

- c) Water and Sewer Service connection costs are not included. The owner is responsible for installation of the required connections at their own expense.
- d) Institutional, Commercial and School Buildings are subject to a connection fee based on calculated electrical demand.

SCHEDULE III

2019 ADJUSTED INDUSTRIAL PREPAID SERVICE RATES

PREPAID SERVICE RATES

Application:

All lots and/or parcels zoned IL1, IL2, IL3, IB, IH, IH2, AM, AG, FUD, DCD2.

All Lots and/or parcels zoned contract zoning and located in an Industrial Subdivision.

Cost Per Front Metre:

		2018 Final Rates	2019 Proposed Rates	% Change
Direct Services:				
1.	Water Mains, Sanitary Sewer Mains, and Storm Sewer Mains	\$1,513.35	\$1,528.50	1.0
2.	Grading	656.65	656.65	0.0
3.	Curbing & Boulevards	284.65	284.65	0.0
4.	Paving	1722.75	1740.00	1.0
5.	Street Lighting	102.35	85.15	-16.8
	Subtotal Direct Services	4279.75	4294.95	0.4
Offsite Services:				
1.	Trunk Sewer Levy	1367.25	1386.40	1.4
2.	Primary Watermain Levy	252.00	253.00	0.4
3.	Arterial Road Levy	662.75	674.70	1.8
4.	Interchange Levy	131.30	131.30	0.0
5.	Parks Levy	40.38	40.38	0.0
6.	Buffers	8.00	8.00	0.0
7.	Street Signing and Traffic Controls	14.80	14.80	0.0
8.	Fencing	11.75	11.75	0.0
9.	Planning	20.10	20.30	1.0
10.	Municipal Administration	12.15	12.30	1.2
	Subtotal Offsite Services	2520.48	2552.93	1.3
TOTAL		\$6,800.23	\$6,847.88	0.7
Others: (Where Applicable)				
1.	Lift Station Levy (where applicable)	100.35	100.35	0.0
2.	Inspection (Private Development)	28.60	28.80	0.7
3.	Long Term Warranty	25.00	25.00	0.0
4.	Lanes (Where Applicable)	274.90	404.95	47.3
5.	Servicing Agreement Fee	2561.00	2587.00	1.0

SCHEDULE III - Continued

Notes:

- a) Water and Sewer Service connection costs are not included. The owner is responsible for installation of the required connections at their own expense.
- b) Industrial buildings are subject to a connection fee based on calculated electrical demand for electrical service.
- c) Lots over 88 Metres in Depth (underground)

Charges are assessed on an area basis at the rate of 113 front metres per hectare for underground services, area grading, arterial roads, interchanges and the parks levy.

Area rate: $113 \times \$4,670.93 = \$527,815.09$ per hectare.

2019 – Prepaid Service Rate Evaluation

Water and Sewer Servicing

Water and Sewer Mains, Trunk Sewers, Primary Water Mains and Lift Stations

- 1) Water, Sewer Mains and Service Connections – A large tender was awarded for construction of services within the Aspen Ridge neighbourhood. The tender resulted in local as well as trunk sewer and primary water main services installed. Information from this tender was used to calculate this year's rate. The increase is small and is primarily due to the overly large depths experienced within the neighbourhood. Another large tender is expected to be awarded later this year for construction starting in the Brighton neighbourhood. Information from the tender in Brighton and a further tender planned for Aspen Ridge next year will be used to set the final rates in 2020. A slight change is recommended for the water and sewer direct service rates.

- 2) Trunk Sewers and Primary Water Mains – primary water mains include the larger piping systems that serve entire neighbourhoods, typically equal or greater than 400 mm in size. Primary water mains have, in most cases, lagged initial development and may include a variety of components that are not necessarily utilized consistently for each job, such as pumped drain structures or concrete bulkheads. A common component is piping, however, this can also vary between sizes, material type, construction required through pavement structures or undeveloped land. We are monitoring some of the components that are utilized in water and sewer construction and have noted that plastic polyethylene has stabilized since last year. Depending on the size and the length of individual pipes needed in any one contract, different types of piping materials are utilized. In 2019 we are constructing two projects that include various sizes of piping. No change in the primary water main levy rate will be implemented in 2019.

Trunk sewers are essential for all sectors and include ponding and piping systems that can include storm pipes up to 3.0m in size and sanitary sewers of 1.2m in diameter constructed 14m deep. The Transportation and Construction Department has extensive studies and includes large geographic catchment areas to determine the overall city wide rates. Within the Administration's studies, sanitary and storm sewer piping comprises 74.7% of the trunk sewer levy cost. The remaining 25.3% of the levy funds storm ponds, where the primary cost is the excavation of large amounts of earth material. Minimum pipe sizes for residential include sanitary trunk sewers of 450mm or greater with a flow rate of at least 68 l/s and storm trunk sewers of 1350mm or greater. In 2019 we have adjusted our rates based on further detailed information of various options for a future proposed sanitary trunk river crossing. This information, along with information from Statistics Canada for items included for these types of projects used during construction derives the trunk sewer rate.

From the results of past information and current cost curves and studies the trunk sewer rate is recommended to increase by 1.4%.

- 3) Lift Stations – This is a smaller levy that funds the construction of lift stations within specific neighbourhoods that utilize lift station services. The lift station levy is charged only on neighbourhoods that require this service. No lift stations currently are needed within the Industrial area of the City. No changes are suggested for the lift station levy in 2019.

Taken as a whole, the net price change for various services and calculated frontages has resulted in an adjustment for 2019. It is recommended that the general construction rate change by the following percentages, with similar changes noted within Appendix 1 for other zoning classifications:

Water and Sewer Mains	0.9%
Water and Sewer Connections	0.0%
Trunk Sewers	1.4%
Primary Water Mains	0.4%
Lift Stations	0.0%

Roadways

Grading, Sidewalks, Paving, Lanes, Buffers, Fencing and Arterial Roadways

The 2019 program is primarily centered around three arterial projects on Taylor Street, Wanuskewin Road and McOrmond Drive with additional carryover construction occurring in Aspen Ridge and the Marquis Industrial area. Areas of noted significance are as follows:

- 1) Grading and Buffers – This component involves the excavation, transportation and placement of large quantities of dirt to facilitate the overall drainage pattern within a development area. In 2019 to date, the various earthwork projects were analysed for stripping, fine grading and seeding. Embankment costs continued to be in a slowly rising band over the last number of years. In 2017, we reported that excavation prices had increased in a range up to \$5.00 per cubic metre which was above the prices previously experienced. In 2019, averaging a number of years of construction, prices are now in a range up to \$5.65. We are not recommending any increase in these rates this year until further analysis is completed after the Holmwood Trunk Sewer project is tendered that will see dirt excavation of over 500,000 cubic metres. The grading rate is recommended to remain the same for 2019.

The main components within the Buffer levy are berming which also utilizes the movement of earth material. As noted previously, excavation costs have been rising while seeding has been stable. The net effect will be to leave the buffer rate the same this year.

- 3) Sidewalk and Curbing – This service is normally tendered as part of the overall roadway contract. No new direct service roadway contracts were tendered in 2019. Unit prices have been compared for this category with the various arterial roadway contracts tendered. Prices have generally stayed within an acceptable range for this category of expense. The department is exploring the utilization of placing base gravel material beneath the sidewalk to assure a proper foundation. In 2018, this increased the price of sidewalks by \$15.00 per lineal metre and was used in some instances within Aspen Ridge due to poor subgrade. This measure is not currently a permanent change in standards and will be monitored in the future to determine the effectiveness in mitigating cracks and other failures experienced previously with poor quality elastic soils. Different components are included within residential versus multi-family/commercial areas, which are then blended together in arriving at a rate for each classification. As a result, the multi-family/commercial rate, used primarily in suburban areas and on collector roadways, is traditionally 1.7 times greater in cost than the residential rate. No additional analysis for this component was needed this year. The residential, commercial and industrial rates are recommended to not undergo a rate change in 2019.
- 4) Paving, Lanes, Arterial Roadways and Interchanges – Unit prices from the Taylor Street, Wanuskewin Road and McOrmond Drive tenders were analysed this year as well as an analysis of frontage from various neighbourhoods in determining the cost for these prepaid service categories.

Prices as a whole for this component have increased slightly this year. For example in 2018 the average asphalt price for City local prepaid service contracts was \$127.00 per tonne. In 2019 the average price was \$137.66 or a change of approximately 8%. Stats Canada has reported that asphalt on average over the last reported 12 month period increased by 11%. The City has again been somewhat sheltered overall from these increases probably because we have had additional contractors bidding on many of our projects and the price of aggregate that we utilize extensively within our roadway contracts appears to have moderated. Also, we are attempting to use other types of products within the geotextile family that have resulted in a reduction of subbase and/or base material that has benefitted us in cost savings. In 2019, we are changing the rate for an added component noted in the utility section of this report. Street lighting concrete bases and trenched conduit will be installed by the roadways contractor which will form the basis for an increase in the rates. The net result after considering contract costs and available frontage is a recommended increase in our rates of 1.7% to 1.8% for paving and arterial roadways. Lane costs are being increased due to a change in the funding for this category. In the past, the property realized reserve funded the paving portion of the lanes which at one time was not a standard for the City. Paving of lanes has become a standard and a change in the structure of the lanes over the years has also been instituted over time. The consensus is that lanes should be exclusively funded from the prepaid service reserves and therefore the total cost is now reflected within the rate.

The interchange levy is one source of funding for the construction of interchanges where the construction benefits new land development. Within the Administration's study areas, costs have been extrapolated to determine a projected value for nine interchanges identified as requiring funding from the interchange levy. Information from the interchanges under construction at McOrmond and Boychuk Drive were previously analysed and a change in the rate was determined a number of years ago. The City traffic model is currently being studied further to update the amount of traffic generated from future growth. No change has been implemented for interchanges in 2019.

The net effect on the prepaid service rates for this category is as follows:

Grading	0.0%
Buffers	0.0%
Fencing	0.0%
Sidewalks and Curbing	0.0%
Paving	1.7%
Arterial Roadways	1.8%
Interchanges	0.0%
Lanes	47.3%

Utilities

Street Lighting, Gas and Underground Electrical

City developed land includes a prepaid levy for street lighting, gas and underground electrical servicing. Private developers contract directly with the respective crown corporation for telephone and gas servicing. A data base exists that includes three decades of street lighting service applications where costs and revenues are tracked. Street lighting service is provided exclusively from Saskatoon Light & Power. Labour costs represent a predominate portion of the street lighting rate. Material price changes have been minimal this year with a decrease in the price of copper utilized in cable. Saskatoon Light and Power conducts servicing in the same administrative manor as other utilities. This entails preparing a fixed quotation for the particular area or phase that is being developed. In 2019, it was decided that the delivery of street light bases and conduit could be more efficiently constructed during the roadway phase. This approach was approved at the Developers' Liaison Committee meeting during this last winter and has been implemented where applicable in 2019. SL&P is involved in all of the electrical aspects of wiring and connecting the street lighting system to the electrical grid. As a result of these measures, the street lighting charge has been reduced by \$17.20 per front metre for 2019.

The Saskatchewan Energy Corporation provides natural gas servicing to all classifications of property. The gas servicing levy is composed of a header allocation charge that is calculated by the utility for each neighbourhood, as well as a gas distribution charge. SaskEnergy absorbs a portion of these costs by applying a capital contribution investment charge of \$1,145 per lot which has not changed this year.

SaskEnergy also charges a lane stubbing cost of \$1,200 per lot. No change in the rate has occurred in 2019.

New underground electrical service within Saskatoon is almost entirely provided by the Saskatchewan Power Corporation. Both the crown corporation and the City provide a \$1,300 per lot capital contribution in each of their respective franchise areas, however, SaskPower almost exclusively provides residential servicing. Last year we reported that SaskPower had dramatically reduced the cost of servicing by renegotiating servicing agreements with other utilities that share services in the same trench. At that time, the rate was reduced by 64% due to these measures. A number of applications were received after the rate had been established which indicated that the rate would not be able to be established quite as low as we had indicated and an adjustment will be made for 2019 as noted below. This rate has a tendency to increase in cost quicker than other rates over time due to the overall cost increasing and the subsidized portion such as the capital contribution and the fixed trench agreements not changing which is absorbed through the rate.

Also for this year in 2019, we have received few electrical applications and those applications include an inordinate amount of one sided servicing. This is not representative of normal servicing and as a result we will include those applications together with a larger representative sample in 2020. The Administration's model indicates that the current rate is recommended to increase for 2019 to \$710.00 per lot.

The recommended change to the utility rates is as follows:

Street Lighting	-17.6%
Gas Servicing	0.0%
Underground Electrical Servicing	7.7%

Administration

Planning, Municipal Administration, Servicing Agreement Fees, Inspection

The servicing fees for the administration of the land development program are increased each year in tandem with possible changes to the standard collective agreement and the car allowance rate, where applicable. For 2019, the anticipated change is between 0.7 and 1.2% for these services.

Parks and Recreation Levy, Community Centres

The Parks and Recreation Levy is a significant portion of the total offsite levies and is submitted as a separate report from the Community Services Department. The inclusion within this report is to illustrate completeness of the prepaid service rate schedule.

The levy for community centres has been implemented as a separate charge per residential neighbourhood, calculated on a front metre basis for all saleable property. This levy will also be reported on by the Community Services Department.

Bryant, Shellie

From: Chris Guérette <cguerette@icloud.com>
Sent: November 15, 2019 3:46 PM
To: City Council
Subject: Form submission from: Write a Letter to Council

Submitted on Friday, November 15, 2019 - 15:46

Submitted by anonymous user: 71.17.241.98

Submitted values are:

Date Friday, November 15, 2019

To His Worship the Mayor and Members of City Council

First Name Chris

Last Name Guérette

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City Saskatoon

Province Saskatchewan

Postal Code S7T 0X2

Name of the organization or agency you are representing (if applicable) Saskatoon & Region Home Builders' Association

Subject Request to speak for agenda item 8.1.7

Meeting (if known) City Council Meeting of November 18 2019

Comments Request to speak on industry perspective to consent agenda item 8.1.7

Attachments

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349351>



STANDING POLICY COMMITTEE ON PLANNING, DEVELOPMENT AND COMMUNITY SERVICES

Provision of Civic Services through Special Events Service Level

Recommendation of the Committee

That Option 1 – Status Quo City of Saskatoon Funded Supports to Special Events, and increase the budget by \$75,000 in 2020 and an additional \$75,000 in 2021 to a total \$230,000 as included in the proposed 2020 and 2021 Preliminary Operating Budget and provide civic services to eligible publicly accessible events, be approved.

History

At the November 5, 2019 Standing Policy Committee on Planning, Development and Community Services meeting a report of the General Manager, Community Services Department dated November 5, 2019 was considered.

Attachment

November 5, 2019 report of the General Manager, Community Services Department

Provision of Civic Services through Special Events Service Level

ISSUE

The purpose of this report is to provide information on the current service level provided to outside organizations, hosting public events, under the Provision of Civic Services through special events, and options for consideration regarding changes to the service level.

BACKGROUND

History

At its January 31, 2017, Standing Policy Committee on Environmental, Utilities and Corporate Services meeting, Corporate Performance presented information on an Internal Process Review for outdoor special events. The review focused on opportunities for efficiency and service improvements within the application, review, approval and implementation stages of the Special Event Process.

City Council, at its meeting held on May 23, 2017, considered a report that provided an update on the Provision of Civic Services program for special events. This report highlighted historical differences between expenditures exceeding funding.

At its June 17, 2019, Governance and Priorities Committee meeting, Administration presented the 2020 and 2021 Indicative Budget report, and included in the proposed Budget projections was an increase in funding for the Provision of Civic Services in the amount of \$90,000 in 2020 and \$75,000 in 2021. The additional funding request, phased in over two years, is required to continue to maintain existing service levels for all outdoor special events, plus in 2020 \$15,000 is the amount required to support the annual Remembrance Day Service at Sasktel Centre, that has not previously been accounted for within this service line.

At its July 29, 2019, City Council Regular Business meeting, Corporate Financial Services presented the 2020/2021 Multi-Year Business Plan and Budget Property Tax Options report. The report included information on an option to consider a subsidized fee for service for the Provision of Civic Services. The option was to adjust the budget allocation for the Provision of Civic Services to be \$86,000 over 2 years instead of the proposed \$150,000 currently in the 2020/2021 Proposed Budget. This option considers a proposed \$64,000 that could be cost recovered by implementing a partial fee for civic services for some or all special events. Outdoor special event organizers would then be responsible to cover a portion of the cost for civic services required to support their event, although a substantial portion of costs would still be subsidized. This option would include a base budget reduction of \$64,000 or a 0.03% mill rate impact.

Current Status

The Provision of Civic Services has an annual operating budget of \$80,000 and is included in the Community Investments and Supports Service Line. The Provision of

Provision of Civic Services through Special Events Service Level

Civic Services is defined as non-cash civic assistance for special event activities of external organizations, including such supports as the provision of garbage collection, street sweeping, and equipment such as barricades, signage and pylons.

Since 2015, the number of outdoor special events has increased significantly and with this increase, has come budgetary pressures. There was 386 event contracts created in 2015 compared to 469 in 2018. With both the number of events and the cost to provide the civic services increasing, actual expenditures have consistently exceeded budget by an average of \$142,600. The table below illustrates the Provision of Civic Services budget compared to actual costs.

Table 1 – Provision of Civic Services Budget versus Actual Costs

Item	2015	2016	2017	2018	2019 YTD
Budget	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000
Actual	\$ 190,100	\$ 198,600	\$ 270,100	\$ 220,000	\$ 233,900
Net	(\$110,100)	(\$118,600)	(\$190,100)	(\$140,000)	(\$153,900)

The increase in expenditures is primarily due to:

- 1) an increased number of outdoor special events;
- 2) an increased volume of attendees to outdoor special events;
- 3) an extended event season that includes year-round booking requests;
- 4) increased staffing and equipment costs to provide the supports;
- 5) \$25,000 in special event support equipment replacement costs (2017) (i.e. barricades, pylons, garbage bins); and
- 6) The inclusion of contractual/historic events supported by the City (Remembrance Day).

City of Saskatoon's Current Approach

The current special event application and review process involves a number of steps, starting with special event organizers completing the Outdoor Special Event Application. If the special event is approved through the Special Event Interdepartmental Committee and Provision of Civic Services are requested, a job number is created and any costs are charged to the Provision of Civic Services. Since 2017 when the Provision of Civic Services expenditures reached an all-time high, Administration put in place formal processes to meet with special event organizers, who are requesting the provision of civic services, and review their completed special event application. The review and meeting with the special event organizer will determine the amount of non-cash civic assistance that will be provided based on the event size, type and projected attendance. Administration uses data collected from the past five years to determine the amount of civic services required for an event type to ensure resources are being allocated as efficiently as possible. This process resulted in a streamlining of the allocation of civic services and a substantial reduction of civic services charges in 2018.

Provision of Civic Services through Special Events Service Level

Saskatoon Police Services offers in-kind or on-duty support to outdoor special events by directing traffic for events that impact roadways and by providing a presence at the event through beat and bike patrols. Since 2014, whenever Special Duty Officers are required (i.e. alcohol being served to the public), special event organizers are responsible for all costs associated with Special Duty Officers (see Appendix 1). In 2018, Saskatoon Police Services had a presence at 92 outdoor special events; Saskatoon Police Services does not track the on-duty costs of supporting outdoor special events.

The Saskatoon Fire Department (SFD) and Saskatoon Emergency Management Organization (EMO) are part of the Special Events Interdepartmental Committee and the support provided to special events involves several sections within the SFD. The total staff replacement and on-scene operational costs vary depending on the level of support provided to a special event. Two examples of the level of support SFD provides for larger events are the Optimist Club Canada Day Event and the Nutrien Fireworks Festival. The on-scene operational costs for these events in 2019 was approximately \$17,800 as Canada Day and the Fireworks Festival require additional supports and a higher level of safety planning (see Appendix 2).

Approaches in Other Jurisdictions

The City of Calgary has a long history of hosting festivals and events in sport, culture and entertainment. Their program (Festivals and Events Subsidy Program) provides approved festivals and events with subsidy for civic services such as permit fees, license fees, waste and recycling, road closures and detours, tent and bike rack rentals and pay duty fees. In 2018, the subsidy program budget was \$2,014,788. The City of Calgary conducts a review of event applications and provides a subsidy for provision of civic services in the range of 80% to 100% based on a scoring template.

The City of Edmonton, through the Edmonton Arts Council, invests in not-for-profit festival events to improve the quality of life for the citizens of Edmonton. The purpose of the Community Investment Program grants is to provide limited assistance to resident non-profit organizations for the purpose of funding new or emerging festivals. In 2018, \$276,000 for civic service cost was allocated to select festival and event groups.

In 2016, the City of Edmonton undertook a comprehensive review of six municipalities across Canada to investigate funding and service model options including research to explore festival and event funding models. Their research indicates that municipalities have unique strategies for supporting festivals and events in their communities, with each city implementing models that suit their specific needs. The amount of funding provided varies greatly, as does the eligibility and method through which the funding is provided (see Appendix 3).

The City of Regina offers in-kind support to outdoor special events by providing selected services such as directing traffic, road closures; garbage pick-up, and utility locates to both major and community events. Expenditures for the in-kind support are included

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within each department's annual operating budgets and are not tracked separately for outdoor special events.

OPTIONS

With increases in the number of events and the cost to provide the services, the current service level for the Provision of Civic Services cannot continue to be provided within the current operating budget. Administration has completed a review of the current delivery of the Provision of Civic Services and below are the options for consideration in determining the appropriate level of support for outdoor special events.

Option 1 – Status Quo City of Saskatoon Funded Supports to Special Events

Maintain the status quo level of providing civic services to eligible publicly accessible events and address the base budget deficiency by increasing the base budget phased in over two years (\$75,000 in 2020) from \$80,000 to \$155,000 and an additional \$75,000 increase in 2021 from \$155,000 to \$230,000. This option is included in the proposed 2020/2021 Preliminary Operating Budget. The additional funding request, phased in over two years, is required to continue to maintain existing service levels.

Advantages:

- Events could continue to operate with support from the City by way of the Provision of Civic Services.
- Events would continue to add to the quality of life in Saskatoon and the sense of community spirit, identity, inclusion and cohesion.

Disadvantages:

- There would be an increase in support from the mill rate as well as potential inflationary or growth increases in the future.

Option 2 - Subsidized Fee for Service

Through the review, Administration has determined the total annual cost for the delivery of the Provision of Civic Services is currently estimated at \$230,000. This option to consider charging organizations for a portion of the costs to deliver civic services, would see the current budget of \$80,000 increased by \$86,000 to a total of \$166,000 and the remaining \$64,000 recovered in charge backs to the special event organizers. This equates to approximately 25 to 30% of the total provision of civic services being recovered through a fee for services.

Advantages:

- Less support would be required from the mill rate; and
- Special event organizers would still receive civic services at a subsidized rate and would not be responsible to cover the full cost of civic services.

Disadvantages:

- Some special events may not have the resources or ability to generate funds to pay the fee for civic services which could negatively impact their event either through not being able to operate or to operate with limited resources/activities; and

Provision of Civic Services through Special Events Service Level

- Additional business administrative costs would be incurred to invoice, process, track and collect payments from event organizers.

RECOMMENDATION

That the Standing Policy Committee on Planning Development and Community Services recommend to City Council approval of Option 1 – Status Quo City of Saskatoon Funded Supports to Special Events, and increase the budget by \$75,000 in 2020 and an additional \$75,000 in 2021 to a total \$230,000 as included in the proposed 2020 and 2021 Preliminary Operating Budget and provide civic services to eligible publicly accessible events.

RATIONALE

Special events contribute to a sense of community identity, spirit, inclusion and cohesion, which is why the City supports neighbourhood, community and city-wide events. Such events not only encourage residents to connect to their communities of geography (neighbourhood) and special interest, but also to relate to other aspects of community in Saskatoon.

In 2018, the City processed 469 outdoor special event application requests which attracted approximately 919,500 people to an outdoor special event in Saskatoon.

Discontinuing the current service level could negatively impact the ability for a number of special events to continue to occur and by impacting the types and/or number of activities/amenities available during events.

ADDITIONAL IMPLICATIONS/CONSIDERATIONS

Financial Implications

In 2018, out of the 469 outdoor special events, 129 events utilized the Provision of Civic Services (see Appendix 4 for an overview of 2018 and 2019 year to date summary categories for the provision of civic services). There were 101 special events which attracted approximately 139,000 people and 28 special events which attracted approximately 616,500 people to an outdoor special event in Saskatoon.

Subject to City Council approval of the base budget increase of \$75,000 in 2020 and \$75,000 in 2021, the total budget for the Provision of Civic Services will be \$230,000. Per capita, the Provision of Civic Services would then be approximately \$0.84 per person. Table 2 (below) illustrates civic services support between the City of Saskatoon and other municipalities (per capita).

Table 2 – Civic Services Support Comparison Per Capita

Municipality	Population (July 2019 estimate)	Civic Services Support	Cost per Capita
Saskatoon	272,200	\$ 230,000	\$ 0.84
Calgary	1,267,344	\$ 2,014,788	\$ 1.59
Edmonton	966,199	\$ 276,000	\$ 0.29

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In 2018, approximately 755,500 people attended 129 outdoor special events and the actual costs for Provision of Civic Services was \$220,000. In 2018, for each person attending an outdoor special event there was a \$0.29 Civic Service subsidy provided.

Should City Council choose Option 2, outdoor special events currently accessing the civic services would be negatively impacted in 2020 as a majority of the events are already in the planning phase for their 2020 event. As per past practice, special event organizers for the annually hosted events will be anticipating civic services support for the 2020 event season. In order to support this option and provide sufficient time for event organizers to plan for the change, Administration recommends the proposed subsidized fee for service be implemented in 2021. Administration will develop a communication plan for providing information to event organizers in 2020, in time for planning for the 2021 event season.

Tourism Saskatoon's Event Hosting Strategy (2016) identified key areas event organizers would like addressed, with one being financial support. Saskatoon's tourism industry is reliant on festivals, conferences, tradeshow, sporting events and leisure and cultural events to drive and support the tourism economy. The event scene in Saskatoon is dynamic and diverse and creates a vibrant and animated city. The strategy has identified the action item for reducing costs for civic services for events. The funding increase proposed in the 2020/2021 budget, to maintain the existing service level for the Provision of Civic Services, is directly aligned with this action item. Implementing a subsidized fee for the provision of civic services would be in conflict with this action item. Tourism Saskatoon was consulted and has provided their comments (see Appendix 5).

Policy Review

The current Provision of Civic Services, Policy No. C0-026, has not been updated since 2006 and therefore, does not reflect current practices. Subject to City Council approval of the 2020/2021 Preliminary Operating Budget, Administration will complete a review of the existing policy. Changes and revisions to the policy will be presented at the February 10, 2020 Standing Policy Committee on Planning, Development and Community Services Committee for approval.

The revised policy will provide processes for determination of the level of non-cash civic assistance and identify general eligibility criteria to access the Provision of Civic Services. Revisions to the policy will include:

1. A special event definition;
2. The Special Event Interdepartmental Committee would be responsible for reviewing and approving applications requesting non-cash civic assistance subject to new general eligibility criteria; and
3. To be eligible for non-cash civic assistance, the general eligibility criteria would include:
 - a. The special event must be available to the general public to attend and of a limited time period;

Provision of Civic Services through Special Events Service Level

- b. The special event must demonstrate a need for the non-cash civic assistance based on programming, safety and the size of the event; and
- c. The special event can only receive non-cash civic assistance once in a calendar year.

Moving forward, Administration will ensure that private events, events not accessible to the general public, or for profit events that are not publicly accessible continue to be required to pay for all requested civic services. Events run by for profit organizations that are publicly accessible and for the benefit of a charitable cause or organization could be eligible for the Provision of Civic Services. Of all the special events that received the Provision of Civic Services in 2018 and 2019, the majority were run by not for profit organizations, community associations, community groups and fundraising organizations.

COMMUNICATION ACTIVITIES

Depending on City Council's decision, Administration will develop a communication plan and communicate changes to the Provision of Civic Services Policy with outdoor special event organizers, the Community Associations, the Business Improvement Districts and Tourism Saskatoon.

APPENDICES

- 1. Special Events and Police Special Duty Report
- 2. Saskatoon Fire Department/EMO Special Event Summary 2019
- 3. Research Summary – Charges to Festival and Events
- 4. Provision of Civic Services Summary Categories – 2018 & 2019
- 5. Letter from Tourism Saskatoon

REPORT APPROVAL

Written by: Lindsay Cockrum, Open Space Consultant, Community Services
Brad Babyak, Recreation Services Manager, Community Services

Reviewed by: Mike Libke, Recreation and Community Development Manager
Andrew Roberts, Director of Recreation and Community Development
Jay Magus, Director of Transportation and Construction

Approved by: Lynne Lacroix, General Manager, Community Services Department

SP/2019/CS/PDCS - Provision Civic Services – Special Events/ac

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"PUBLIC AGENDA"

TO: His Worship Don Atchison, Chairperson
Board of Police Commissioners

FROM: Clive Weighill
Office of the Chief

DATE: 2014 April 07

SUBJECT: Special Events and Police Special Duty

FILE #: 2,012

**ISSUE:**

To provide background and information on special events and the use of police special duty at these events.

RECOMMENDATION:

That the following report be received as information.

BACKGROUND:

Since 2010 the number of event bookings in Saskatoon Parks has increased by 83%. In 2013, there were 527 authorized in Saskatoon Parks. These events range from small community gatherings to large commercial events with thousands of people attending.

In 2011, the Saskatoon Police Service worked with the City, EMO and the Fire Department to develop policy for emergency planning and coordination of civically sanctioned events. An Emergency Event Planning process was developed. This tool is designed to help evaluate the risk associated with a single event or the cumulative risk of a number of unrelated events happening at the same time.

All applications for special events held in City of Saskatoon parks are reviewed in late December and early January by a Special Event Adjudication Committee made up of representatives from the Saskatoon Police Service, Saskatoon Fire and Protective Services Emergency Measures Operations (EMO), Leisure Services, Infrastructure Services – Parks, Infrastructure Services – Facilities, Infrastructure Services – Transportation, Saskatoon Transit, and the Saskatchewan Liquor and Gaming Authority.

The Special Events Adjudication Committee determines what further information is required to assess the event, if there are any concerns from previous years, what administrative conditions are required and if a meeting between the special event organizers and the Special Event Adjudication Committee is required. Meetings are held at City Hall several times a week,

generally from January to April of each year.

Many of the events such as fun days in the park, weddings, community gatherings and soccer tournaments have very few, if any, additional administrative conditions and don't require a meeting with the committee. Larger festivals such as Saskatchewan Marathon, Taste of Saskatchewan and the SaskTel Jazz Festival require additional administrative conditions. Some such conditions like additional liability insurance, liquor licensing through Saskatchewan Liquor and Gaming Authority, road closures, and Police assistance require the applicant to meet and allow each committee member to evaluate the event based on their respective area of expertise.

The Saskatoon Police member delegated to participate on the Special Events Adjudication Committee is the Special Teams Sergeant and she often works in collaboration with a Saskatoon Police Service Traffic Unit Sergeant. Saskatoon Police Service evaluates an event with the primary objective of public safety.

DISCUSSION:

Of the 527 authorized in Saskatoon Parks in 2013 there were 7 events where Police Special Duty was involved due to "beer garden" alcohol sales. These events were:

- Taste of Saskatchewan
- The Fringe
- The Jazz Festival
- Mogathon
- Red Bull Hometown Tour
- Ribfest
- The Saskatoon Exhibition

There are three ways that the Saskatoon Police Service may become involved in an event.

- **On Duty Assigned Special Event Resources** such as the Community Response Unit for community activism, demonstrations, festivals and celebrations. The Traffic Unit is often tasked to coordinate and conduct operations such as road closures and traffic control for parades and marathons. The Public Order Unit may be assigned for crowd management at large events.
- **Special Duty Policing** is required when sufficient on duty resources are not available or are not appropriate given the circumstances. Special duty cost will be charged for situations where police assistance is required in relation to the operation of a business entity, for example traffic control at a concert, bank or entrance fee related to attending the event and/or if the event has a liquor vending component.
- **Calls for Service** is where the Police Service is in a reactive mode and responding to the situation rather than being proactive as in the first two examples. Our response to calls for Service are prioritized and our response time and response capacity are very dependent on what is else is happening in the city.

"PUBLIC AGENDA"

Decisions regarding what is the most appropriate delegation of police resources and how many police may be required is guided by public safety and determined by:

- reviewing the circumstances surrounding the event;
- the number of people expected;
- past history of the event;
- alcohol sales and usage;
- coinciding major events;
- officer safety, and
- Saskatoon Police Service Policy and Procedure.

Police Administration has an obligation to ensure public safety at special events. This does not apply solely to the location of the event itself but also to the surrounding community. The uniform presence of the Police at these events has an impact on both the event and on criminal behavior in the surrounding area.

- An anecdotal example of this was when the Police Service reduced its uniform presence at the Fringe Festival in 2006. This change was due to the lack of problems in the previous years and an attempt to have a larger plainclothes presence. There were several reported incidents within the first two days of the Fringe that happened in the surrounding area that created a public perception that the event was not safe to attend. Increasing the Uniform Police presence changed both the public perception and the criminal behavior within a couple of days.

Private Security, Special Duty Police, On Duty Police

Private Security

Private security is used at many of the special events that take place in the City of Saskatoon now. They may be mandated by the SLGA as a condition of obtaining a license to sell alcohol. They have some training and equipment but in cases of criminal activity and arrests they need to call in the police to deal with the arrest. If there are no special duty personnel present the call is taken by our dispatchers and prioritized based on what is happening in the rest of the city. There may be a delay in the police response to this call based on what is happening elsewhere.

Special Duty Police

Special duty police officers are off duty members who are authorized to carry their issue equipment and wear their uniforms while performing the special duty function. Their authority to enforce the law and maintain public safety is the same as on duty police officers. If special duty police officers are assigned to an event they are dedicated to that event and will not be pulled away by other policing issues. They would be available to assist event security with their specialized equipment, police authority and powers of arrest.

On Duty Police Officers

Police Officers on duty are often assigned to attend to major events in addition to the private security and special duty officers. They may have special functions such as traffic control or public order. These officers may be called away if required to deal with public safety in the rest

"PUBLIC AGENDA"

of Saskatoon.

The Police Administration believes that for certain major events the best solution is all three of the above groups working together to ensure public safety. The Saskatoon Police Service has provided special duty and on duty police officers to work with private security at events like Taste of Saskatchewan, Ribfest and the Saskatoon Exhibition.

CONCLUSION:

The administration of the Saskatoon Police Service believes that the policing of large events in the parks of the city, especially those involving the sale of alcohol, requires a multi-level response to ensure public safety for both the event and surrounding neighbourhoods.

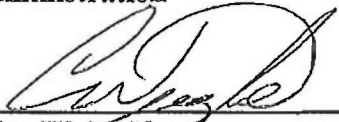
Private security should be supplemented with police resources dedicated to the event. Special duty police are the only resources that can be guaranteed not to be pulled away from an event if there are policing issues elsewhere.

The Police Service complements special duty resources at large events with a larger number of on duty officers which consist of uniform and plainclothes members. These on duty officers while assigned to the event may be pulled away if there is a need elsewhere in the city.

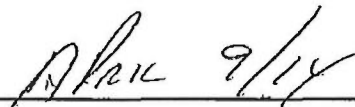
Written &
Approved by:

Deputy Chief Pannell
Administration

Submitted by:


Clive Weighill
Chief of Police

Dated:


APRIL 9/14

Saskatoon Fire Department/EMO Special Event Summary 2019

Special Events Interdepartmental Committee Report:

The Saskatoon Fire Department (SFD) and Saskatoon Emergency Management Organization (EMO) values the opportunity to be part of the Special Events Interdepartmental Committee.

Supporting Special Events involves several divisions within the SFD.

Saskatoon Emergency Management is a regular member of the committee. An EMO staff member attends regular meetings. EMO provides guidance to festival/events regarding all-hazard emergency planning. This includes:

- developing a template guideline for emergency plans for festival/events and reviewing plans that have been developed;
- providing situational awareness of impacts of festivals/events;
- activating the Incident Command Post (Command 9) for high risk events; and
- writing Contingency Plans for high risk events and assessing access for emergency vehicles.

The Saskatoon Fire Department's Public Relations and Community Risk Reduction division provides a Fire Inspector to be part of the Special Events Interdepartmental Committee. This Fire Inspector arranges the review and approvals for any Burn permits, Fireworks Permits and provides any necessary inspections for festivals/events.

The Operations and Communications division provides resources required to ensure the safety of high risk events. They also provide a Battalion Chief, as Incident Commander for large events requiring the activation of the Mobile Command Unit (Command 9).

Two examples of the level of support SFD provides for larger events are the Optimist Club Canada Day Event and the Nutrien Fireworks Festival. These are events that were all identified as events that required a higher level of safety planning and additional supports.

2019 Optimist Club Canada Day Event Saskatoon Fire Department Resource Commitment:

1. Battalion Chief – Incident Commander;
 2. Brush Truck 5 – Proximal to fireworks for potential fire suppression;
 3. Tanker 5 – Proximal to fireworks for potential fire suppression;
 4. Engine 12 – Stage for potential fire suppression;
 5. Water Rescue Team - protect hot zone in the river;
 6. Command 9 – Incident Command Post;
 7. EMO Coordinator - Attend all planning meetings as required, review hazards and Festival Emergency Plan, develop Contingency Plan, Planning Section Chief during event;
 8. Fire Marshal – Review and approve fireworks permit;
 9. Fire Inspector – Inspect grounds and fireworks set-up; and
 10. Rotating SFD apparatus during the event for community relations and delivery of medical attention as required.
- Total staff resources – 18;
 - Total replacement staff required – 15; and
 - Total replacement and on-scene staff cost - \$8,942.94.

2019 Nutrien Fireworks Festival:

1. Battalion Chief – Incident Commander;
 2. Brush Truck 3 – Proximal to fireworks for potential fire suppression;
 3. Engine 3 – Proximal to fireworks for potential fire suppression;
 4. Brush Truck 2 - Proximal to fireworks for potential fire suppression;
 5. Engine 22 - Proximal to fireworks for potential fire suppression;
 6. Water Rescue Boat 1 – Protect the hot zone in the river;
 7. Water Rescue Boat 2 – Protect the hot zone in the river;
 8. Station No. 1 Engine – relocate to a roving position to cover District 1 East of the river during the Fireworks to mitigate the closing of Victoria and Broadway Bridges and construction on Sid Buckwold Bridge;
 9. Command 9 – Incident Command Post;
 10. EMO Coordinator – Attend all planning meetings as required, review hazards and Festival Emergency Plan, develop Contingency Plan, Planning Section Chief during event;
 11. Fire Marshal – Review and approve fireworks permit; and
 12. Fire Inspector – Inspect grounds and fireworks set-up.
- Total staff resources – 18;
 - Total replacement staff required – 15; and
 - Total staff replacement and on-scene operational costs - \$8,942.94.

Attachment 1

Research Summary - Charges to Festival and Events

The framework for researching the funding and service models in other cities was developed by the Charges to Festival and Events committee team to explore potential funding models and service opportunities. This piece of work was taken on by Business Performance, Integrated Strategic Development in partnership with Civic Events and Edmonton Arts Council contributions. A list of 6 cities were identified with a series of questions and methodology standardized as criteria for the research interviews.

The main goal of this research is to quantify mechanisms other cities use to fund civic services for City festivals and events and their funding model as a benchmark for the City of Edmonton. This research also looked to determine if community impact and/or financial state of applicant weigh as factors in the city funding for festivals and events. The cities that were included in this data are: Calgary, Vancouver, Winnipeg, Halifax, Quebec City and Kelowna.

TABLE 1	EDMONTON	CALGARY	VANCOUVER	WINNIPEG	HALIFAX	QUEBEC CITY	KELOWNA
Festival Funding	Operating Grant	Subsidy	Multiple Grants	Multiple Grants	Grant Program	Yes	Multiple Grants
Civic Services City Covers	varies*	85%	0%**	0%***	0%***	100%	75%
Number of Festival & Events Supported by the City	58	135	35	40	Unknown	60	Unknown
Does community value impact funding support	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Cost / Funding Model	Incremental	Set Criteria	Set Criteria	Incremental	Set Criteria	Event based	Offset + Incremental
Enact Financial Rigour	Yes	Yes	Yes	Yes	Yes	No	No

*Exception: Based on long standing agreements or council initiatives, select parades and festivals have civic services covered. In Edmonton, City-funded grants from the Edmonton Arts Council may be used by an organization to cover any costs, including civic service costs.

**Exception: 3 parades and 2 statutory events follow a City calculation method to meet status for 100% civic service coverage

***Exception: Based on long standing agreements or council initiatives, select parades and festivals have civic services covered.

Provisions of Civic Services Summary Categories – 2018 & 2019

2018 Provision of Civic Services Allocation	Total allocation	Number of events	Average/event	% of total
Category 1 -- \$5,000 to \$39,200	\$138,251.02	14	\$9,875.07	63.1%
Category 2 -- \$1,000 to \$4,999	\$ 42,383.60	18	\$2,354.64	19.3%
Category 3 -- \$500 to \$999	\$ 19,072.11	28	\$ 681.15	8.7%
Category 4 -- \$25 to \$499	\$ 19,339.33	69	\$ 280.28	8.8%
	\$219,046.06	129		100.00%

2019 Provision of Civic Services Allocation	Total allocation	Number of events	Average/event	% of total
(Year to Date)				
Category 1 -- \$5,000 to \$39,200	\$130,453.64	11	\$11,859.42	55.8%
Category 2 -- \$1,000 to \$4,999	\$ 70,713.52	31	\$ 2,281.08	30.2%
Category 3 -- \$500 to \$999	\$ 19,188.68	29	\$ 661.68	8.2%
Category 4 -- \$25 to \$499	\$ 13,513.05	50	\$ 270.26	5.8%
	\$233,868.89	121		100.0%

October 21, 2019

Mr. Andrew Roberts
Director, Recreation and Community Development Division
City of Saskatoon
222 3rd Avenue North, Saskatoon, SK

Re: Provision of Civic Services

Good Morning Andrew;

Thank you and your team for meeting with me last week to discuss options for how the City will support festivals and events in the future. I have been aware of the consistent shortfall this area has faced in past years, and appreciate the efforts made by various city departments to step up to manage the shortfall while supporting as many of these events as possible.

My comments focus primarily on tourism-related festivals and events and not the many other community events that the program supports.

We know that the cultural sector contributes over \$160 million annually to our city, which exceeds 25% of our total annual visitor economy of \$610 million. This contribution includes cultural attractions such as the Rемаi Modern and Wanuskewin, but many attractions also host cultural events that draw tourists to Saskatoon.

At a recent meeting I attended in Ottawa with Destination Canada (DC), the provinces and 8 invited cities, DC outlined their new focus on attracting "Learners" to Canada. This psychographic segment includes Cultural Explorers and Authentic Experiencers. Cultural festivals and attractions will be key opportunities for promotion in Canada, the US and for International Travelers. We need to stay aligned with this opportunity as Learners have significantly higher than average daily spend and are most likely to extend stays in Saskatoon.

In 2016 Tourism Saskatoon shone a light on this sector with the writing of an Event Hosting Strategy for Saskatoon. The intention is to support going from "Good to Great" in terms of hosting excellence. I am pleased to report that to this point, 22 of the 40 recommendations have been implemented, a number of these in direct coordination with City Administration.

Financial concerns were the most commonly referenced threat to both established and emerging festivals. **Tourism Saskatoon's Incubation Fund, Joint Marketing Fund and the City's Special Event and Festival Funding programs and the Civic Services Program** are always heavily solicited, in some cases with demand exceeding available resources threefold. While Festivals and events are strong visitor attractors, the reality is that they capture only a small fraction of

total tourism expenditures within their own financial programs. This is a global reality of the Festival and Event industry.

You commented that last year 129 events that involved 755,500 residents and visitors, were supported by around \$231,500 contributed through Civic Services. That amounts to less than \$0.31 per person, while we benefitted immensely from the predominantly volunteer-driven sector.

That is a long preamble to our recommendation that The Civic Services Program should expand to more realistically meet the growing demand in a growing city. While I focus on visitor economics, everyone realizes the crucial role these events, small and large, play in knitting the social and cultural fabric of our city together. The scope of the program should support primarily Not-For-Profit events but should also consider events coordinated for philanthropic purposes. If a partial subsidization by the Festivals and Events is necessary to maintain the viability of the program, I suggest that this be modest, and implemented gradually over time as this is one new cost center amongst many including police, increased security demands and insurance that challenge the viability of many events.

Thank you for your consideration.

Sincerely

A handwritten signature in black ink, appearing to read "Brandt", with a stylized, flowing script.

Todd Brandt
President & CEO



STANDING POLICY COMMITTEE ON PLANNING, DEVELOPMENT AND COMMUNITY SERVICES

Streamlining Downtown Development – Boundary Options for Interim Exemption of Offsite Levies

Recommendation of the Committee

That exemptions laid out in Option 4 – Expand Exemption to the Established Neighbourhoods (Excluding University of Saskatchewan Lands), restricted to the zoning districts laid out in Option 5 – Expand Exemption Based on Zoning of the November 5, 2019 report of the General Manager, Community Services Department, be implemented. That once implemented, these exemptions be reviewed alongside the results from the levy audit currently underway.

History

At the November 5, 2019 Standing Policy Committee on Planning, Development and Community Services meeting a report of the General Manager, Community Services Department dated November 5, 2019 was considered. Your Committee received presentations from Ms. Chris Guerette, CEO, Saskatoon & Region Home Builders' Association and Curtis Olson, Shift Developments recommending Option 4 as outlined in the Administration's report.

Your Committee puts forward the above-noted recommendation.

Attachment

November 5, 2019 report of the General Manager, Community Services Department

Streamlining Downtown Development – Boundary Options for Interim Exemption of Offsite Levies

ISSUE

The City of Saskatoon has been working to encourage infill development as part of its Growth Plan. The Streamlining Downtown Development program was introduced in 2018 as a suite of measures to encourage growth in the Downtown specifically, which included the waiver of prepaid offsite servicing fees (commonly called and referred to hereinafter as “offsite levies”). While City Council has resolved to not expand the geographic focus of the entire program, direction has been provided that expanding the offsite levies exemption on an interim basis warrants separate consideration. What are the implications of expanding this exemption to areas beyond the Downtown?

BACKGROUND

History

At its meeting on May 27, 2019, City Council considered a report regarding the potential to expand the Streamlining Downtown Development program to areas immediately adjacent to the Downtown. While the recommendation to maintain the program’s strategic focus on the Downtown was supported, City Council further resolved:

“That the Administration report back in Q3 2019 with an appropriate and meaningful boundary to guide an interim expansion to the offsite levy exemption. That this boundary support City infill goals and surround City Centre areas, particularly Riversdale and Broadway. That this boundary be drafted in consultation with appropriate stakeholders.”

Current Status

Offsite levies are charges paid by new development to reflect capital costs required to increase service capacity to accommodate said development. A large portion of these levies are for water, wastewater and storm sewer servicing. Payment of levies is triggered by subdivision of property, which includes both land and condominium subdivision.

Offsite levies are charged city wide and are most commonly collected in greenfield development areas. However, levies are payable in infill locations where a given property was first developed prior to the levies system being in place. If levies were not previously collected for these properties, they are considered to still be owing.

At present, offsite levies are exempted within the Downtown as part of the Streamlining Downtown Development program. While this is the only area where they are exempted outright, other programs provide partial exemptions for certain types of projects:

- A rebate of up to 75% of levies owing for the conversion of a former commercial or industrial building space located within the City Centre to residential, under the Vacant Lot and Adaptive Reuse Incentive Program; and
- Waiver of levies for qualifying affordable housing projects under the Innovative Housing Incentives Policy.

An independent review of the City of Saskatoon's system of development levies is currently underway. This report does not seek to address any of the issues or objectives of that review and responds only to the above-referenced resolution of City Council.

OPTIONS

Five boundary options for the interim offsite levies exemption are discussed in this section. The most objective approach with these options has been to consider pre-existing boundaries formalized through a previous process and established rationale. Creating new boundaries not underpinned by previous work could be problematic when considering the expansion of a development incentive given the multiple property interests that are potentially impacted.

Option 1 – Status Quo (Exempt Offsite Levies in the Downtown Only)

This option would maintain the boundaries of the Downtown as the area within which offsite levies are exempted. A map is included as Appendix 1.

Advantages

1. Retains a strategic focus on encouraging development of the Downtown, which aligns with City Council's strategic priority of Downtown Development and the intent of the Streamlining Downtown Development program.
2. Affirms Downtown's unique role in being the heart of the city and its continued precedence within the city, supported by policies in the Official Community Plan.
3. Aligns with objectives of the Growth Plan and City Centre Plan to encourage significant new population growth in this area over time. A total of 15,000 additional residents in the Downtown is targeted.
4. Because levies are commonly triggered in infill areas by condominium subdivision, a Downtown-only exemption creates differentiation in favour of an area that has ongoing challenges in attracting residential growth.
5. Appropriate zoning is in place that facilitates desired forms of development that align with the City Centre Plan and Growth Plan.
6. Downtown continues to have a significant inventory of development sites.
7. Downtown has clear, well-established boundaries.

Disadvantages

1. This option excludes adjacent areas that are consistent with the Downtown's built form and mix of uses where infill development can still contribute positively to objectives for infill and the health and vitality of Downtown.

2. The Downtown boundary follows the centreline of 25th Street and Idylwyld Drive. This results in properties on one side of the street being included while properties on the opposite side are excluded.
3. The exemption has been in place in this area since February 2018, and it is not evident the measure has spurred any new development to date. Large scale projects typical of the Downtown have a low per unit cost incurred by levies compared to lower density projects elsewhere. The cost savings from the waiver of levies may not be significant enough to affect demand for development in the Downtown at this time.

Option 2 – Expand Exemption to the City Centre

This option would expand the exemption to the approved City Centre boundary, which includes the Downtown and adjacent areas including City Park (south of Queen Street) and sites generally limited to those fronting Queen Street, College Drive, Broadway Avenue and 20th Street West. A map is included as Appendix 2.

The City Centre articulates an intermediate area with increased activity, mixed uses and densities that provide a transition from the Downtown proper to adjacent single-use residential areas. Its boundary was established as the study area for the multi-phase City Centre Plan project that commenced in 2010. The extent of the study area recognizes the linkages and interrelationships between the Downtown and its key connecting corridors and the importance of comprehensively planning for the whole.

Advantages

1. Aligns with objectives of the City Centre Plan to encourage significant new growth in this area. Approximately 35,000 additional residents in the City Centre are targeted.
2. The Growth Plan identifies the City Centre as part of the Strategic and Neighbourhood Infill areas, where 25% and 10% of future growth to a population of 500,000, respectively is targeted to occur.
3. Alignment with some areas identified for Corridor Growth is provided, including Broadway Avenue and College Drive.
4. A larger exemption area provides more opportunity for the development community.
5. Precedent exists for offering incentives in the City Centre not offered elsewhere, such as in the Vacant Lot and Adaptive Reuse Incentive Program.

Disadvantages

1. Inconsistent with City Council's strategic priority of Downtown Development and the intent of the Streamlining Downtown Development program. A larger exemption area dilutes the strategic focus on the Downtown.
2. Infill development spread over a larger area may diminish the associated momentum and cumulative benefits of new density that can result in a more concentrated area.

3. Portions of the City Centre have zoning in place that does not fit with long-term objectives of the Growth Plan and the City Centre Plan. Further incentivizing development in these areas, ahead of resolution of the identified zoning issues, risks development of undesirable outcomes.
4. The potential foregone revenue from levies is greater with a larger exemption area.

Option 3 – Expand Exemption to the City Centre and all BIDs

This option would expand the exemption to the City Centre as well as to all BID areas. The City Centre encompasses the Downtown and portions of the Broadway and Riversdale BIDs, but excludes the Sutherland and 33rd Street BID areas as they are located well outside the City Centre. Inclusion of the Riversdale BID within the City Centre boundary is mostly limited to the blocks fronting 20th Street West, while the BID's area encompasses the Riversdale neighbourhood and portions of Pleasant Hill and West Industrial. A map is included as Appendix 3.

Advantages

1. The areas within this boundary are identified by the Growth Plan as part of the Strategic and Neighbourhood Infill areas, where 25% and 10% of future growth to a population of 500,000, respectively, is targeted to occur.
2. A larger exemption area provides more opportunity for the development community.
3. Fairness is provided for all BIDs given the inclusion of all five districts and their respective areas

Disadvantages

1. Inconsistent with City Council's strategic priority of Downtown Development and the intent of the Streamlining Downtown Development program. A larger exemption area dilutes the strategic focus on the Downtown.
2. Infill development spread over a larger area may diminish the associated momentum and cumulative benefits of new density that can result in a more concentrated area.
3. Portions of these areas have zoning in place that does not fit with long-term objectives of the Growth Plan and City Centre Plan. Further incentivizing development in these areas ahead of resolution of the identified zoning issues risks development of undesirable outcomes.
4. The Riversdale BID includes a significant amount of property zoned for low density one and two-unit residential development within its boundary. While low density residential development does contribute to infill targets, development incentives such as waiving levies are more effectively focused on multiple-unit residential infill that contributes in a more substantial way. The potential foregone revenue from levies is greater with a larger exemption area.

Option 4 – Expand Exemption to the Established Neighbourhoods (Excluding University of Saskatchewan Lands)

This option would expand the exemption to the Established Neighbourhoods, defined by Zoning Bylaw No. 8770 and includes all areas inside Circle Drive, as well as Sutherland, Sutherland Industrial, Forest Grove and Montgomery Place. A map is included as Appendix 4.

University of Saskatchewan lands are excluded from this exemption area given these large undeveloped areas are more akin to new suburban development in terms of its infrastructure needs. Future development in these areas will have a significant draw on infrastructure with major cost implications for necessary upgrades that have not yet been quantified. It would not be prudent to exempt this area from offsite levies.

The Established Neighbourhoods boundary is the only pre-existing, neighbourhood-based boundary that is meaningful to this discussion as it represents the area within which the City's overall infill goals are targeted to occur. However, it must be emphasized that this option represents a significant expansion of geographic area beyond the other options, covering a large portion of the city.

Advantages

1. The areas within this boundary are identified by the Growth Plan as part of the Strategic and Neighbourhood Infill areas, where 25% and 10% of future growth to a population of 500,000, respectively, is targeted to occur. A large portion of the Corridor Growth areas, accounting for a further 15% of future growth targets, are also covered by this option.
2. A larger exemption area provides more opportunity for the development community. Selecting this option would effectively exempt all infill properties from the current requirement to pay levies deemed owing upon subdivision.

Disadvantages

1. Inconsistent with City Council's strategic priority of Downtown Development, far exceeding the original intent of the Streamlining Downtown Development program. The significantly larger exemption area dilutes the strategic focus on the Downtown.
2. Infill development spread over a larger area may diminish the associated momentum and cumulative benefits of new density that can result in a more concentrated area.
3. Large portions of this area has zoning in place that does not fit with long-term objectives of the Growth Plan and City Centre Plan. Further incentivizing development in these areas, ahead of resolution of the identified zoning issues, risks development of undesirable outcomes.
4. The Established Neighbourhoods includes areas where infill objectives do not apply (such as industrial areas).

5. There is a significant amount of property zoned for low density one and two-unit residential development. While low density residential development does contribute to infill targets, development incentives such as waiving levies are more effectively focused on multiple-unit residential infill that contributes in a more substantial way.
6. The potential foregone revenue from levies is significantly greater with a larger exemption area.

Of the options presented, this exemption area is of particular concern given its size. The identified policy and financial implications apply here across a significantly larger area than the preceding options.

If City Council should choose this option, Administration recommends it be limited to the select range of zoning districts identified by Option 5 below, to mitigate some of the risks and costs identified above, which would restrict the exemption to land zoned for multiple-unit residential or mixed-use development with a residential component. This would reduce the financial implications of selecting this option and target the incentive to forms of development that assist with meeting the Growth Plan's targets for infill growth. It would also mean the incentive would not be available to benefit land subdivision in industrial or single-use commercial areas (e.g. – subdivision of a B4 commercial site on 8th Street East). As raised in Option 5, an implication of this Option 4 is that it would create a non-contiguous exemption area with select zones and could increase demand to rezone land as a result. This would still be the most viable approach to an exemption area this large and with such a diversity of land uses.

Option 5 – Expand Exemption Based on Zoning

As noted, many of the areas discussed in previous options include zoning that does not fit with the long-term objectives of the Growth Plan and City Centre Plan and further incentivizing development in these areas risks supporting outcomes that do not contribute to infill targets. This option would extend the exemption only to properties with a zoning designation that is generally aligned with the objectives of the aforementioned plans by providing for multiple-unit residential and mixed-use development in a variety of densities.

The recommended zoning districts that this option would apply to are:

- Multiple-unit residential zones: Any zone with an “RM” prefix;
- Commercial zones: B4A, B5, B5A, B5B, B5C; and
- Mixed-use zones: M2, M3, MX1, MX2.

Low-density, one and two-unit residential zoning districts (such as R2) have been excluded from this list. Property with this zoning is present in Option 3 and increases dramatically in Option 4. While development in these zones does contribute to infill targets, development incentives such as waiving levies are more effectively focused on multiple-unit residential infill that contributes in a more substantial way. While it is recognized one and two-unit residential developments encounter the highest per unit cost from offsite levies, the need to specifically incentivize this form of development has

not been identified. City Council could choose to include low density residential zoning districts at its discretion.

If an approach to expanding the exemption based on zoning is chosen, City Council would need to decide whether to apply this option within the boundaries of Option 2, 3, or 4.

Advantages

1. The areas this option could apply to are identified by the Growth Plan as part of the Strategic and Neighbourhood Infill areas, where 25% and 10% of future growth to a population of 500,000, respectively is projected to occur. Portions of the Corridor Growth areas, accounting for a further 15% of future growth targets, are also covered by this option.
2. Targets the incentive to zoning districts that align with the City's long-term objectives.
3. A larger exemption area provides more opportunity for the development community.

Disadvantages

1. Contrary to City Council's strategic priority of Downtown Development and the intent of the Streamlining Downtown Development program.
2. A larger exemption area dilutes the strategic focus on the Downtown.
3. Infill development spread over a larger area may diminish the associated momentum and cumulative benefits of new density that can result in a more concentrated area.
4. Clear, contiguous program areas are typically established for development incentives, while this option would create a non-contiguous exemption area. Administration could not identify a precedent for this approach. It could be seen as confusing, arbitrary, and unfair.
5. Planning and Development could receive a significant number of rezoning applications to make properties eligible for the levies exemption, negatively impacting service levels.
6. The potential foregone revenue from levies is greater with a larger exemption area.

RECOMMENDATION

That Option 1 – Status Quo (Exempt Offsite Levies in the Downtown Only), be approved.

RATIONALE

Of the options presented, the policy direction for prioritizing development of the Downtown through specific incentives, such as waiving offsite levies, is the strongest. Downtown Development is identified as one of the specific priorities of City Council. A

strong and growing Downtown is central to objectives of the Growth Plan and the City Centre Plan.

New growth throughout all infill areas is important to meeting the Growth Plan's targets and the Administration continues to work to advance objectives for infill development overall. However, the original intent of the offsite levies exemption was to encourage development of the Downtown specifically, and this imperative remains.

There is a great deal of planning work yet to be completed in infill areas as part of the Growth Plan's implementation and related initiatives. In the meantime, many areas are not properly zoned for the densities, mix of uses, and forms of development that are desired. As a result, expansion of this incentive at this time could be considered premature.

ADDITIONAL IMPLICATIONS/CONSIDERATIONS

Stakeholder Engagement

Members of the Developers Liaison Committee, including both the infill and land development subcommittees, as well as the five BIDs, were consulted during preparation of this report. Consensus does not exist among the stakeholders' positions, although the current policy to exempt the Downtown was generally accepted.

Feedback received in favour of expanding the exemption area or advocating for a particular option can be summarized as follows:

- Some support for expanding to the City Centre and BID areas and acknowledgement that development in these areas can still benefit the Downtown; and
- Some support for expanding to the Established Neighbourhoods for various reasons:
 - Includes areas that could benefit most from the incentive (low density zoning where the per unit cost from levies is highest);
 - Areas with redevelopment potential, such as South Caswell, are included;
 - Has a simpler and less complicated boundary than the other options; and
 - Does not pick "winners and losers" as the more constrained options do.

Feedback received expressing concern can be summarized as follows:

- Any expanded exemption should not come at the expense of greenfield development, and cannot become an "infill vs. greenfield" proposition;
- BIDs are the wrong boundaries to use; boundaries should be neighbourhood-based;
- Timing in which this is being considered may not be appropriate;

- Without market demand for living in a certain area, incentives will not deliver the desired result;
- Levies are considered a minor impediment to development in the Downtown due to the scale of projects making the per unit cost low (the cost is higher for lower density development); and
- Increased property taxes collected from infill development in perpetuity should be part of this discussion and not just the one-time foregone revenue to the City from levies in an exemption scenario.

A formal submission from the Broadway Business Improvement District is included as Appendix 5.

Financial Implications

The collection of offsite levies is necessary to fund new infrastructure that accommodates continued growth. Past investments funded by offsite levies have benefited some infill areas by improving infrastructure serving those areas and increasing servicing capacities to accommodate infill growth.

The trade-off in exempting select areas is that with expansion of the exemption area there is a correspondingly smaller area and fewer properties paying offsite levies. The ability to raise funds necessary for critical new infrastructure could be impacted as a result.

The financial impact of any given exemption area cannot be accurately predicted, because it cannot be anticipated what revenue from infill development will be collected over a period of time due to uneven and fluctuating development activity.

For reference only, approximately \$1.26 million in offsite levies has been collected within the areas of the Downtown, City Centre and all Business Improvement District areas since 2006. Approximately \$650,000 was collected in the Downtown specifically. The amount of levies collected within the Established Neighbourhoods within this timeframe is not available at the time of report-writing.

Based on the major infill projects in the City Centre and adjacent areas that Administration is aware of that are expected to incur offsite levies if they proceed, approximately \$650,000 in foregone revenue could be expected in the next two to three years if levies were waived for these projects. It should be noted that these projects are not guaranteed to proceed and this figure is provided for reference only and not as a precise estimate. Other smaller scale infill projects can also be expected to incur levies within this same timeframe.

Other Considerations

If City Council chooses to expand the exemption area on an interim basis, the Administration recommends the following be included in a motion to that effect:

- That a two year limit to the exemption be set (excepting the Downtown) with a review and reporting to be undertaken at the end of the period; and
- That eligibility of projects be tied to a subdivision application or building permit application being received within the exemption timeframe.

Further to the second point, payment of offsite levies for many infill projects is triggered by a condominium application submitted years after a building permit for the project is received. If a development project proceeds on the basis of the levies being waived, eligibility being tied to the permit submission date provides certainty that the incentive will be available to the project even if the exemption ends during its construction period.

COMMUNICATION ACTIVITIES

The decision of City Council will be communicated to stakeholders, including the development industry.

APPENDICES

1. Option 1 - Status Quo
2. Option 2 - Expand Exemption to the City Centre
3. Option 3 - Expand Exemption to the City Centre and all BIDS
4. Option 4 - Expand Exemption to the Established Neighbourhoods
5. Letter from the Broadway Business Improvement District

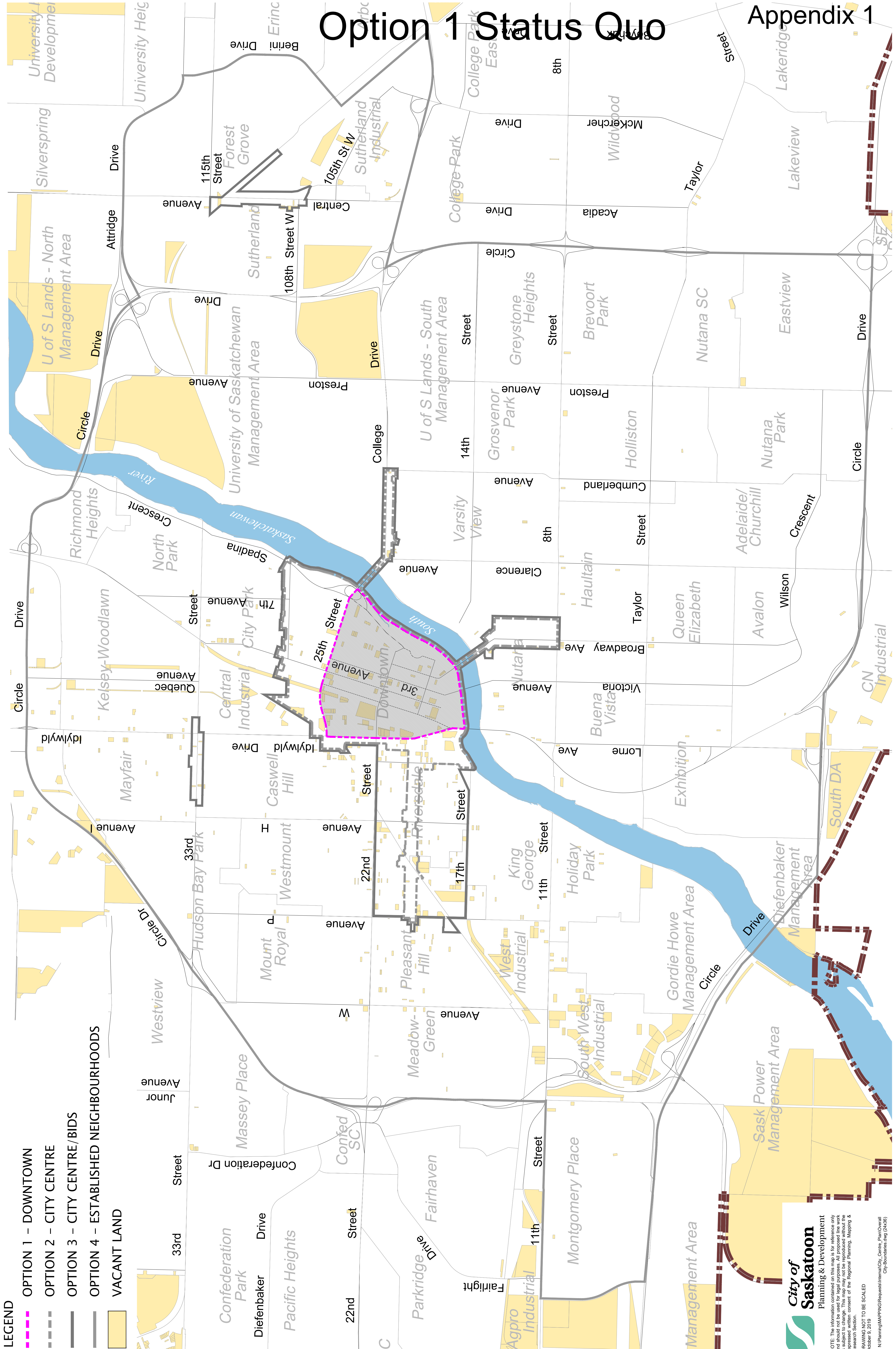
REPORT APPROVAL

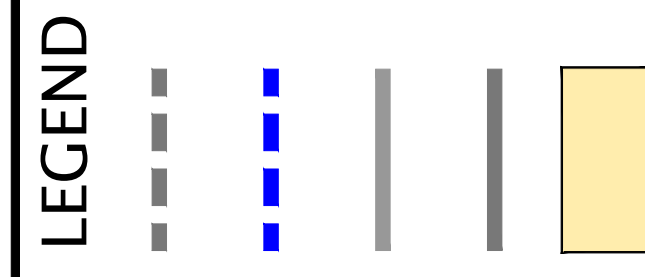
Written by: Brent McAdam, City Centre Planner, Planning and Development
Reviewed by: Lesley Anderson, Director of Planning and Development
Approved by: Lynne Lacroix, General Manager, Community Services Department

SP/2019/PL/Admin Report - Streamlining Downtown Development – Boundary Options for Interim Exemption of Offsite Levies/jdw

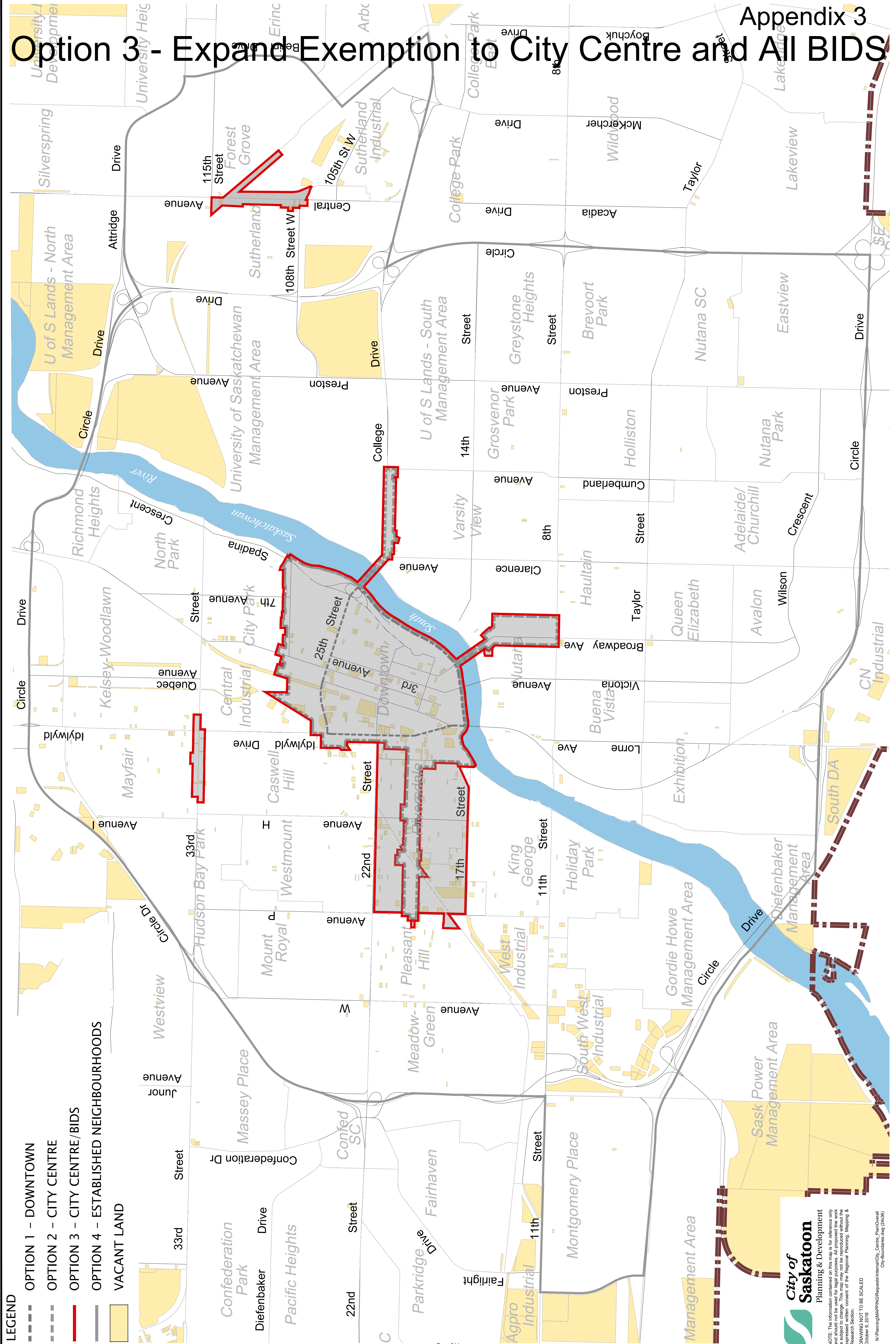
LEGEND

- OPTION 1 – DOWNTOWN
- OPTION 2 – CITY CENTRE
- OPTION 3 – CITY CENTRE/BIDS
- OPTION 4 – ESTABLISHED NEIGHBOURHOODS
- VACANT LAND









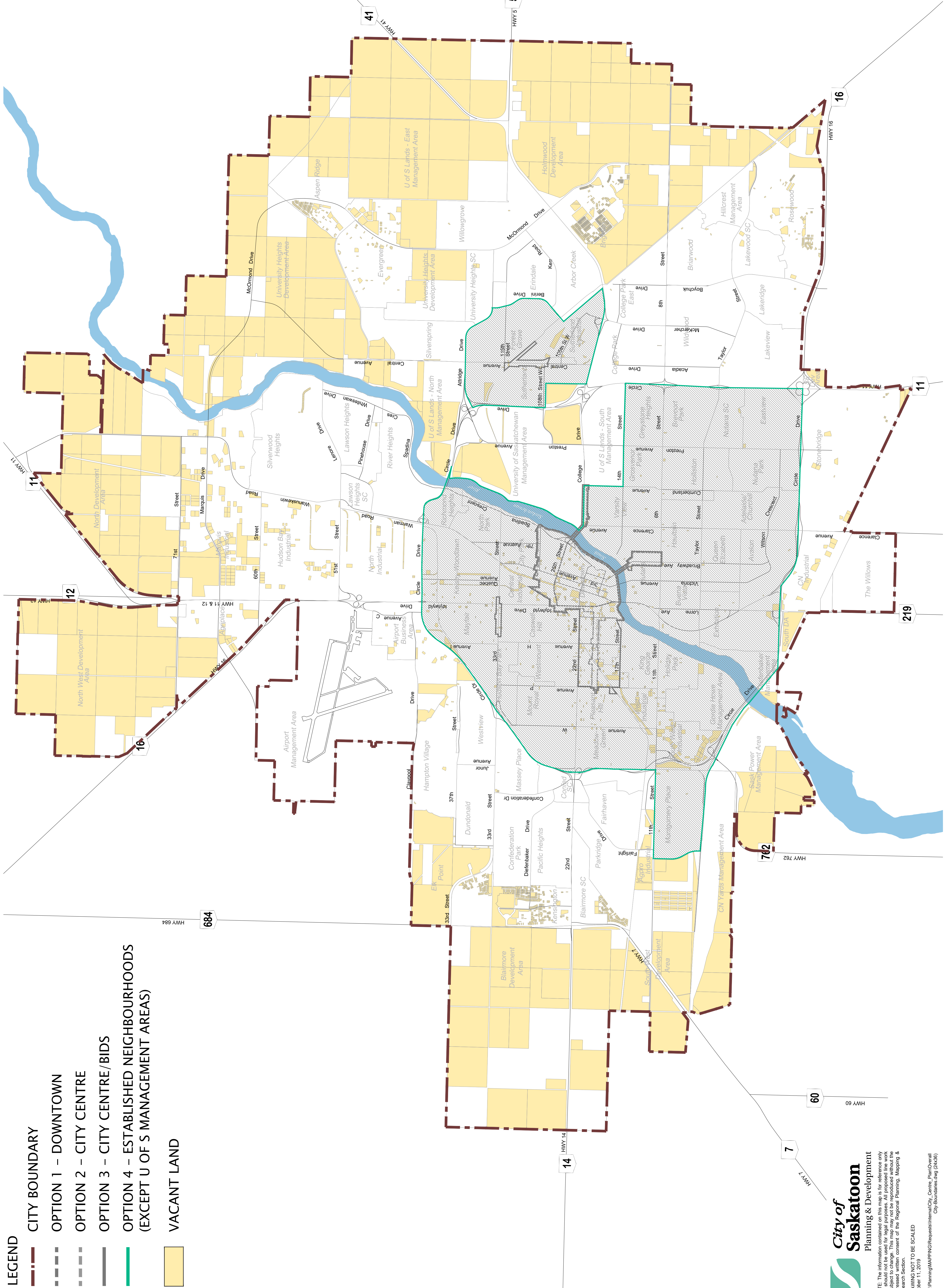


Appendix 3



LEGEND

-  CITY BOUNDARY
 OPTION 1 – DOWNTOWN
 OPTION 2 – CITY CENTRE
 OPTION 3 – CITY CENTRE/BIDS
 OPTION 4 – ESTABLISHED NEIGHBOURHOODS
 (EXCEPT U OF S MANAGEMENT AREAS)
 VACANT LAND





October 11th, 2019

Standing Policy Committee on Planning, Development and Community Services
City of Saskatoon | 222 3rd Ave N | Saskatoon, SK | S7K 0J5

Dear Mr. McAdam,

This letter is in response to City Council's consideration of the potential to expand the Streamlining Downtown Development program to areas immediately adjacent to the Downtown to support City infill goals, particularly Riversdale and Broadway. The Broadway Business Improvement District is in support of waiving the offsite levies to increase both commercial and multi-unit residential investment in the core of Saskatoon and more specifically in the Nutana area.

Of the five boundary options for the offsite levies exemption, Option 3 provides a more fulsome coverage of the Broadway Business Improvement District. This exemption area, as stated in the report, provides more opportunity for the development community while focusing it within Strategic and Neighbourhood Infill areas for a pilot period. The report states a disadvantage may be Planning and Development receiving a significant number of rezoning applications for properties to make them eligible for the levies exemption. This could also be a positive, where more properties would be incentivized to pursue zoning that aligns with the long-term objectives of neighbourhood zoning.

The Broadway BID is looking at options to expand its boundaries through a review process, as the current boundaries do not encompass all businesses in the area or future purposed developments. There are still properties directly adjacent to the BBID boundaries which have been either vacant or underutilized for decades where there is the potential for multiple-unit residential infill. The ideal expanded exemption area would cover these areas as well, including the west side of Victoria Ave to Dufferin Ave and from the river to 7th Street.

Infill development spread over this more inclusive area which keeps the focus on the core neighbourhoods is the best way to continue to see 25% infill and gain the momentum of the development community to invest in the Downtown, Riversdale, and Broadway. Development spurs development in these neighbours; we can directly see the Riverlanding investment leading to greater development in the Broadway area, which was predated by investment in Riversdale by The Banks and Shift Development projects.

Thank you to City Council for considering expanded boundaries for exemption of the offsite levies to support the City's infill goals in the city centre.

Sincerely,

A handwritten signature in black ink that reads "DeeAnn Mercier". The signature is written in a cursive, flowing style.

DeeAnn Mercier
Executive Director, BBID

Broadway Business Improvement District | 613 9th St. E | Saskatoon SK S7H 0M4 | 306.664.6463

From: Randy Pshebylo <randy@riversdale.ca>
Sent: Monday, November 18, 2019 7:51 AM
To: City Council
Subject: Form submission from: Write a Letter to Council

Submitted on Monday, November 18, 2019 - 07:50

Submitted by anonymous user: 174.2.249.79

Submitted values are:

Date Monday, November 18, 2019
To His Worship the Mayor and Members of City Council
First Name Randy
Last Name Pshebylo
Email randy@riversdale.ca
Address 344 20th Street West
City Saskatoon
Province Saskatchewan
Postal Code S7M 0X2
Name of the organization or agency you are representing (if applicable) Riversdale Business Improvement District
Subject Streamlining Downtown Development
Meeting (if known) City Council Meeting Monday, November 18, 2019
Comments
Let this email serve as support from the Riversdale Business Improvement District for City Council to vote for Option #4 with item 8.1.9 Streamlining Downtown Development – Boundary Options for Interim Exemption of Offsite Levies [File No. CK 4130-1, x4216-1 and PL 4110-78].

Attachments

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349527>



STANDING POLICY COMMITTEE ON FINANCE

Incentive Application – Axiom Industries Ltd.

Recommendation of the Committee

1. That the application from Axiom Industries Ltd. for a five-year tax abatement on the incremental portion of taxes at 3615 Burron Avenue, as a result of its development in 2020, be approved as follows:
 - o 100% in Year 1;
 - o 80% in Year 2;
 - o 70% in Year 3;
 - o 60% in Year 4;
 - o 50% in Year 5; and
2. That the City Solicitor be instructed to prepare the appropriate agreements.

History

At the November 5, 2019 Standing Policy Committee on Finance meeting, a report of the Interim Chief Financial Officer, Corporate Financial Services dated November 5, 2019 was considered. Mr. Alex Fallon, Chief Executive Officer, SREDA addressed Committee recommending the approval of the tax abatement application and informed of the benefits to the economy.

Attachment

November 5, 2019 report of the Interim Chief Financial Officer, Corporate Financial Services

Incentive Application – Axiom Industries Ltd.

ISSUE

City Council approval is required for a five-year tax abatement on the incremental portion of taxes at Axiom Industries Ltd.'s development at 3615 Burron Avenue.

RECOMMENDATION

That the Standing Policy Committee on Finance recommend to City Council:

1. That the application from Axiom Industries Ltd. for a five-year tax abatement on the incremental portion of taxes at 3615 Burron Avenue, as a result of its development in 2020, be approved as follows:
 - 100% in Year 1;
 - 80% in Year 2;
 - 70% in Year 3;
 - 60% in Year 4;
 - 50% in Year 5; and
2. That the City Solicitor be instructed to prepare the appropriate agreements.

BACKGROUND

Council Policy No. C09-014, Business Development Incentives, outlines the criteria for which businesses could qualify for tax abatement incentives. The eligibility requirements for businesses to receive these abatements listed within this Policy are to:

- encourage them to locate or expand their operations in Saskatoon in order to create long-term, skilled or semi-skilled jobs;
- provide tax relief that will flow to companies creating new jobs;
- place Saskatoon in a competitive position to attract businesses that it would not otherwise occupy;
- increase the long-term viability of a project; or
- demonstrate the City of Saskatoon's commitment to a business or industry.

In accordance with this Policy, SREDA's Board of Directors, through a sub-committee, reviews the applications and brings forward a recommendation to City Council.

DISCUSSION/ANALYSIS

Eligibility Requirements

Appendix 1 is a report from Nevine Booth, Chair, SREDA Board of Directors, which describes how Axiom Industries' expansion satisfies the requirements of Council Policy No. C09-014. The highlights include a \$2.7 million investment in their new facility, as well as the creation of a minimum of five new full-time equivalent positions.

IMPLICATIONS

Financial Implications

If approved, the abatement for the first year is estimated to be \$41,427. The total estimated value of the five-year abatement, using 2019 rates, would be \$149,137. It should be noted that the incremental property tax increase, due to the expansion, fully funds the abatement amounts. In fact, after the first year of the incentive agreement the City will see a permanent increase in property tax revenue for this property.

There are no legal, social, or environmental implications identified.

NEXT STEPS

If the abatement is approved, an annual compliance audit will be undertaken by SREDA.

APPENDICES

1. Report from Nevine Booth, Chair, SREDA Board of Directors, October 3, 2019

REPORT APPROVAL

Written by: Mike Voth, Director of Corporate Revenue

Approved by: Clae Hack, Interim Chief Financial Officer

Admin Report - Incentive Application – Axiom Industries Ltd.docx



Saskatoon Regional Economic Development Authority (SREDA)
Suite 103, 202 Fourth Avenue N | Saskatoon, SK

MEMO

TO: Mike Voth, Director of Corporate Revenue
City of Saskatoon

FROM: Nevine Booth, Chair
SREDA Board of Directors

RE: Axiom Industries Ltd. Business Development Incentive Application Review

DATE: October 3rd, 2019

The Saskatoon Regional Economic Development Authority's Board of Directors reviewed the tax incentive application from Axiom Industries Ltd. (Axiom) and has determined that it meets the eligibility requirements of the City of Saskatoon Business Development Incentives Policy, C09-014 with the exception of 3.3 (a) [The applicant must be a legally incorporated entity]. Axiom is a limited partnership, registered in the Province of Saskatchewan on August 4, 1994. Axiom is not a corporation, but should not be precluded from receiving the business development incentive on this basis as it clearly fulfills the intention of the policy for companies to initiate business expansion in Saskatoon through investment and job creation, as demonstrated below.

Axiom is a manufacturer and distributor of hydronic products including glycol feed systems, water filtration products, condensate neutralizers, water demineralizers, and PEX tubing organizers. Axiom is owned by a group of seven Saskatchewan holding companies, with all of the owners having extensive experience in the HVAC industry and acting as advisors to the Company.

Axiom's assets consist of inventory, manufacturing tools and machinery, temporary storage (sea cans), a 26,000 sq.ft. building at 3603 Burron Avenue and 1.39 acres of property at 3615 Burron Avenue. The new expansion project will be an investment of \$2.7 million in the construction of a 15,750 sq. ft. warehouse on the 3615 Burron Avenue property. This expansion will allow Axiom to expand production to meet increasing demand and allow for a larger inventory of finished goods. Axiom currently has 20 full-time equivalent (FTE) employees and plans to add at least 5 new FTE positions, including an engineer and/or technician for research and development work, additional assembly people and a social media marketing person.

The Saskatoon Regional Economic Development Authority's Board of Directors approved the following resolution on October 3, 2019:

Recommendations

THAT the Board of Directors approves the recommendation by the Incentive Review Committee for SREDA to submit the Axiom Industries Ltd. Business Development Incentive Application to the City of Saskatoon for approval.

The Board's recommendations are forwarded to City Council for consideration and approval. A summary of the tax abatement application from Axiom is attached for reference, along with the Eligibility Criteria Checklist.

A handwritten signature in blue ink, appearing to read 'N. Booth', is written over a horizontal line.

Nevine Booth
Chair, Board of Directors
SREDA



STANDING POLICY COMMITTEE ON FINANCE

Acquisition of Land for Future Development – Northeast Growth Area

Recommendation of the Committee

1. That the Administration be authorized to purchase NE 32-37-4 W3 Ext 58, SE 32-37-4 W3 Ext 59, SW 32-37-4 W3 Ext 0, and NW 32-37-4 W3 Ext 61 (ISC Surface Parcel Nos. 131838712, 131838723, 118558615, and 131838734), comprising of approximately 550.81 acres, from 590028 Saskatchewan Ltd. at a purchase price of \$9,000,235.40; and
2. That the City Solicitor be requested to prepare the appropriate agreement and that His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal.

History

At the November 5, 2019 Standing Policy Committee on Finance meeting, a report of the Interim Chief Financial Officer, Corporate Financial Services dated November 5, 2019 was considered.

Attachment

November 5, 2019 report of the Interim Chief Financial Officer, Corporate Financial Services

Acquisition of Land for Future Development – Northeast Growth Area

ISSUE

As the City of Saskatoon (City) develops and sells residential, industrial, and commercial properties, replacement land is required to ensure there is a sufficient inventory of future development land.

RECOMMENDATION

That the Standing Policy Committee on Finance recommend to City Council:

1. That the Administration be authorized to purchase NE 32-37-4 W3 Ext 58, SE 32-37-4 W3 Ext 59, SW 32-37-4 W3 Ext 0, and NW 32-37-4 W3 Ext 61 (ISC Surface Parcel Nos. 131838712, 131838723, 118558615, and 131838734), comprising of approximately 550.81 acres, from 590028 Saskatchewan Ltd. at a purchase price of \$9,000,235.40; and
2. That the City Solicitor be requested to prepare the appropriate agreement and that His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal.

BACKGROUND

Informally, the City has been buying, developing, and selling land since the 1920s. The City formally established the Land Bank in 1954 and began to acquire land for future development. Today, Saskatoon Land's mandate is to provide an adequate supply of serviced land, initiate creativity and innovation in urban design, generate profits for allocation to civic projects and programs, and influence urban growth in support of the City's Growth Plan.

Over the past decade, Saskatoon Land has developed, serviced, and sold over 2,600 acres of its raw land holdings. To ensure the future sufficiency of the land development program, it is integral that well-positioned replacement lands are acquired at best value to the City.

DISCUSSION/ANALYSIS

Land Acquisition Considerations

The 550.81-acre site is located in the Rural Municipality (RM) of Corman Park within the Corman Park – Saskatoon Planning District. In recent years, Saskatoon Land has assembled several parcels of land in the northeast section of the Saskatoon area, both inside and outside the proposed Saskatoon Freeway and City Limits. The subject property is located outside the proposed Saskatoon Freeway and situated adjacent to lands previously acquired by Saskatoon Land (Appendix 1).

The lands are cultivated and have been farmed for decades. If approval to purchase the property is obtained, the City would continue leasing the lands for agricultural use or until such time as a more suitable interim use is identified.

The Saskatoon North Partnership for Growth (P4G) Land Use Map (Appendix 1) identifies the proposed future use of the majority of these lands as being “Urban Residential Neighbourhood” and a small portion of the lands fronting the South Saskatchewan River being shown as “Green Network Study Area.”

The lands are located within the current P4G Growth to 700,000 population boundary. Development of the lands is not expected to take place in the short term. The strategy of acquiring lands well in advance of development has proven to be an effective business model for Saskatoon Land. Most of the lands recently developed and sold in the Evergreen and Willowgrove neighbourhoods were purchased in the mid-1970s, and Hampton Village and Rosewood lands in the 1960s and 1970s (all of which resulted in significant investment returns for the City).

As shown on Appendix 2, the 550.81-acre site is situated between and immediately adjacent to both the South Saskatchewan River valley and the Northeast Swale. When the lands enter the development stream, it is anticipated the favourably unique location of these lands will create strong market demand for future development.

Land Sale Terms

Administration has negotiated a conditional agreement for the property. Noteworthy terms of the agreement are as follows:

- conditional upon City Council approval by November 20, 2019;
- purchase price of \$9,000,235.40 payable on the closing date;
- environmental, geotechnical, heritage, homestead, and drainage investigations to the City’s sole satisfaction by October 1, 2019;
- seller to pay real estate commissions; and
- closing/possession date of November 29, 2019.

IMPLICATIONS

Financial

The negotiated purchase price of \$9,000,253.40 represents a land value of \$16,340 per acre, which is comparable to sales of similarly located sites with long-term development timelines. Of note, the City purchased 473.41 acres immediately southwest of these lands from the Cathcart estate in fall 2016 for a price of \$16,700 per acre.

Land acquisitions for future development are funded from the Property Realized Reserve, the purpose of which is to finance the purchase of real property for resale by the City. Sufficient funds for the purchase of this land exist in the Property Realized Reserve and the reserve sufficiency forecast over the next five years remains positive with this purchase.

Environmental

The Purchase of these lands supports the “Environmental Management” section of the City’s Official Community Plan (OCP). The OCP identifies riverbank and natural areas as land uses that should be protected for the enjoyment of present and future

generations and recommends “wherever possible, natural areas of significant value shall be placed in public ownership.”

Finally, the acquisition of these river fronting lands is consistent with the City’s Green Infrastructure Strategy, which strives to ensure all residents have access to a network of high-quality, multifunctional, seamlessly integrated green spaces.

There are no legal or social implications identified.

NEXT STEPS

If approved, this proposed acquisition would close on November 29, 2019, and the required documentation to finalize the sale would be completed by the City Solicitor’s Office.

The Administration has advised the RM of Corman Park Administration that Saskatoon City Council will be considering the purchase of these lands at an upcoming meeting.

APPENDICES

1. The Saskatoon North Partnership for Growth (P4G) Regional Land Use Map
2. 590028 Saskatchewan Ltd. Land Details

REPORT APPROVAL

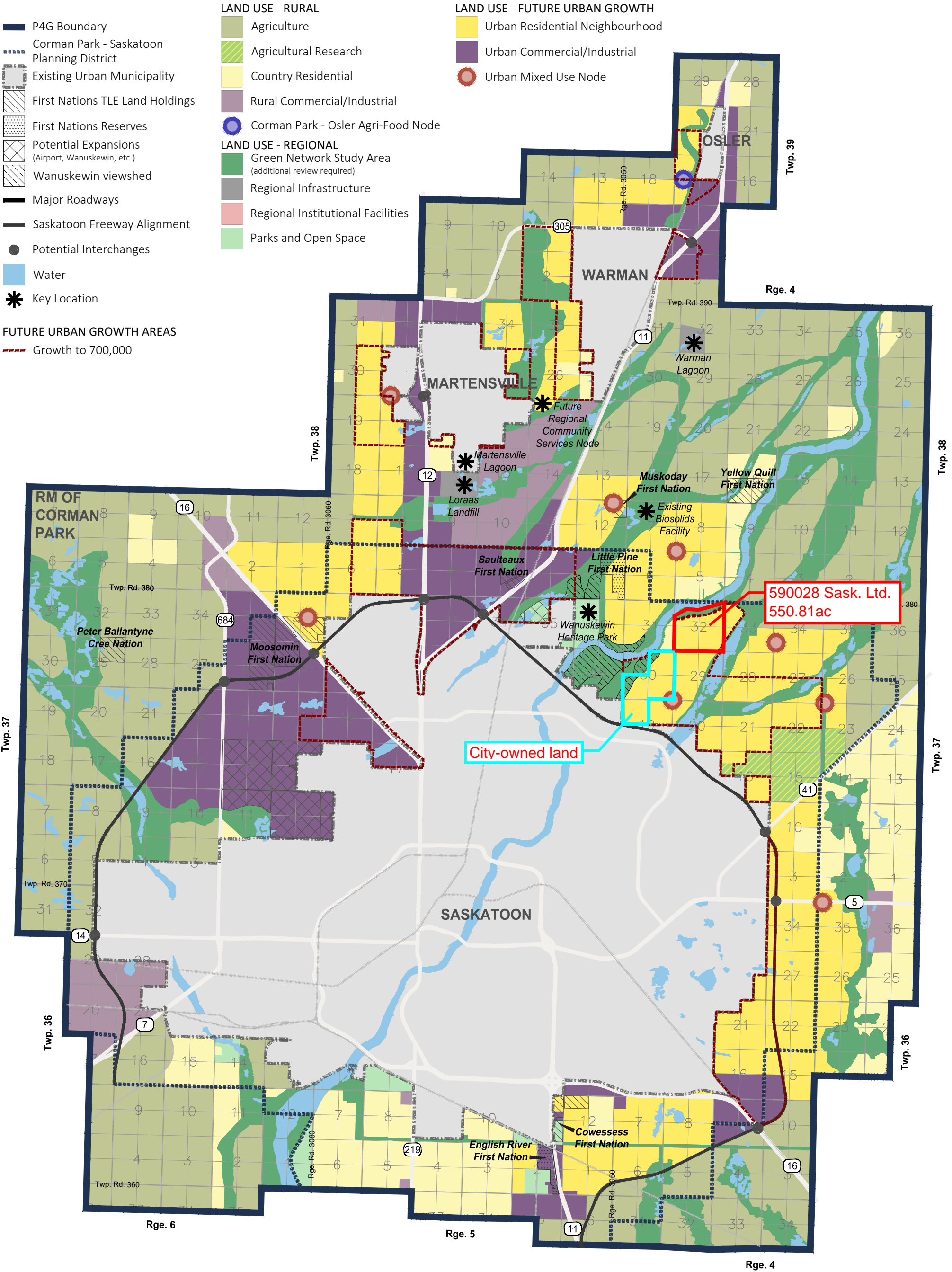
Written by: Scott McCaig, Property Development and Project Manager
Reviewed by: Keith Pfeil, Manager, Real Estate Services Manager
Frank Long, Director of Saskatoon Land
Kari Smith, Interim Director of Finance
Clae Hack, Interim Chief Financial Officer
Approved by: Jeff Jorgenson, City Manager

Admin Report - Acquisition of Land for Future Development – Northeast Growth Area.docx

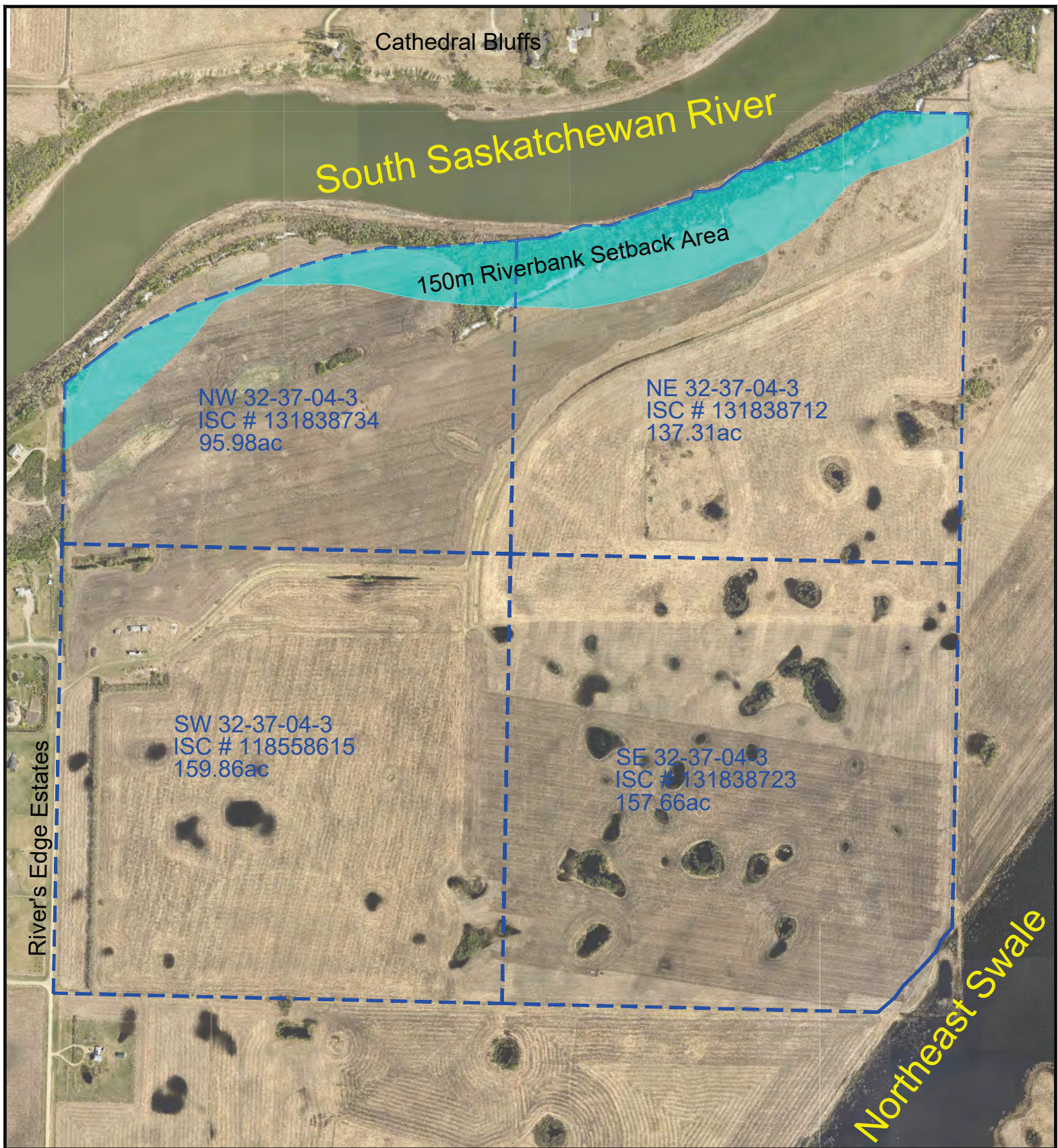
SASKATOON NORTH PARTNERSHIP FOR GROWTH (P4G)

REGIONAL LAND USE MAP

FUTURE URBAN GROWTH AREAS TO 700K



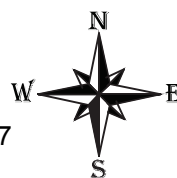
590028 Saskatchewan Ltd. Land Details



ISC Area = 550.81ac

150m Riverbank Set Back Area = 39.78ac

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Real Estate Services - September 2019

Note: The City does not guarantee the accuracy of this drawing. To ensure accuracy, please refer to the Registered Plan of Survey. This drawing is not to scale. Distances are in metres unless shown otherwise. Do not scale.



STANDING POLICY COMMITTEE ON ENVIRONMENT, UTILITIES & CORPORATE SERVICES

Sanitary Sewer Charge Exemption – Arbor Glen Condo Corporation

Recommendation of the Committee

That the request for a sanitary sewer charge exemption for the Arbor Glen Condo Corporation, located at 330 Stodola Court, be approved; and the Director of Corporate Revenue be requested to remove the sanitary sewer charge from water meter numbers 60119638 and 60119639, effective July 16, 2019.

History

At the November 4, 2019 Standing Policy Committee on Environment, Utilities & Corporate Services meeting, a report from the, General Manager, Utilities & Environment dated November 4, 2019 was considered.

Attachment

November 4, 2019 report of the General Manager, Utilities & Environment.

Sanitary Sewer Charge Exemption – Arbor Glen Condo Corporation

ISSUE

The Arbor Glen Condo Corporation, located at 330 Stodola Court, has requested a sanitary sewer charge exemption for two water service meters that are dedicated to their landscaping irrigation system. These water services would be considered a dedicated water service connection that does not return to the sanitary sewer system.

RECOMMENDATION

That the request for a sanitary sewer charge exemption for the Arbor Glen Condo Corporation, located at 330 Stodola Court, be approved; and the Director of Corporate Revenue be requested to remove the sanitary sewer charge from water meter numbers 60119638 and 60119639, effective July 16, 2019.

BACKGROUND

Customers that have a dedicated water service connection to provide water that does not return to the sanitary sewer system may apply for a sanitary sewer charge exemption, as per Bylaw No. 9466, The Sewage Use Bylaw, 2017, which states:

“Adjustment for Water Not Discharged to Sanitary Sewer System

60. (1) If a substantial portion of the water purchased by a person is not discharged to the sanitary sewer system, the person may apply to the City for an appropriate adjustment in the sewer service charge.”

The City of Saskatoon has approved sanitary sewer charge exemptions for customers who have a dedicated water service connection that does not return to the sanitary sewer system. This is confirmed by Saskatoon Water Meter Shop staff through an onsite visit.

DISCUSSION/ANALYSIS

On July 16, 2019, Mr. Ron Fisher contacted the Saskatoon Water Meter Shop staff to inquire about a sanitary sewer charge exemption for two water service meters that are used exclusively for landscape irrigation at 330 Stodola Court. A site visit from the staff confirmed these two meters are used exclusively for irrigation purposes.

The request for a sanitary sewer charge exemption from the Arbor Glen Condo Corporation complies with Bylaw No. 9466, The Sewage Use Bylaw, 2017, section regarding “Adjustment for Water Not Discharged to Sanitary Sewer System”. This recommendation recognizes previous approvals for sanitary sewer charge exemptions that have been passed by City Council.

IMPLICATIONS

There will be a minimal impact on the wastewater revenue. There are no legal, social, or environmental implications identified.

NEXT STEPS

Upon approval, the sanitary sewer charge exemption will be effective July 16, 2019.

Report Approval

Written by: Fred Goodman, Meter Shop Superintendent, Saskatoon Water
Reviewed by: Reid Corbett, Director of Saskatoon Water
Approved by: Angela Gardiner, General Manager, Utilities & Environment

Admin Report - Sanitary Sewer Charge Exemption – Arbor Glen Condo Corporation.docx



STANDING POLICY COMMITTEE ON ENVIRONMENT, UTILITIES & CORPORATE SERVICES

Changes to Net Metering and Small Power Producer Programs

Recommendation of the Committee

That customers with approved applications be considered existing net metering customers for future rate deliberations.

History

At the November 4, 2019 Standing Policy Committee on Environment, Utilities & Corporate Services meeting, a report from the, General Manager, Utilities & Environment dated November 4, 2019 was considered.

Your Committee received opposing presentations on this matter from Nathan Jones, MiEnergy and Peter Prebble, Saskatchewan Environmental Society (letter attached). A letter submitting comments was also received from Michael Nemeth (letter attached).

In addition to the above recommendation, your Committee also resolved:

1. That the matter be referred back to the Administration to report more information specifically including feedback from stakeholders as well as an assessment of the GHG and LEC Plan related impacts of the proposed change as well as consider opportunities for financial impact equity; and
2. That the Administration report on business models in place in other jurisdictions and any consideration of the benefits of solar in terms of time and day power production and lower maintenance costs and medium to long term risks of battery technology affecting SaskPower revenues.

Attachment

November 4, 2019 report of the General Manager, Utilities & Environment.

Email – Peter Prebble, SES, dated, November 3, 2019.

Email – Michael Nemeth, dated, November 2, 2019.

Changes to Net Metering and Small Power Producer Programs

ISSUE

SaskPower has made substantial changes to its Customer-Based Generation Programs (i.e. Net Metering and Small Power Producer programs). Saskatoon Light & Power (SL&P) typically mirrors the Customer-Based Generation Programs offered by SaskPower and is therefore seeking City Council direction to make corresponding changes to SL&P's programs.

BACKGROUND

2.1 History

City Council, at its meeting held on October 9, 2007, considered the Small Power Producers Program, and adopted the Power Producer Policy.

City Council, at its meeting held on June 22, 2015, considered the Net Metering Program for Saskatoon Light & Power and resolved, in part:

- “1. That Saskatoon Light & Power revise the Power Producer's Policy to add a Net Metering Program to align with SaskPower's Net Metering Program”.

City Council, at its meeting held on May 23, 2017, considered a rate increase for the Small Power Producer Program to match SaskPower's rate and resolved, in part:

- “1. That the proposed Small Power Producer Program rate be approved for Saskatoon Light & Power as outlined within this report”.

2.2 Current Status

SL&P offers two customer-based power generation programs – the Net Metering and Small Power Producer programs.

The Net Metering program is designed for residential and commercial customers who want to generate some of their own electricity. The Net Metering program allows customers to generate and consume electricity and 'bank' any excess electricity as a credit to offset future usage within a fixed period. Bi-directional electricity meters are installed in order to measure the amount of electricity provided to the customer from the grid and the amount of electricity provided by the customer back onto the grid. SL&P issues an energy credit for electricity provided by the customer to the grid.

The energy credit rate is equal to the electricity rate for service, which in 2019 for a typical residential service is \$0.14228 per kilowatt-hour (kWh) (not including the

federal carbon charge or municipal surcharge). Currently, SL&P has 133 customers participating in this program with a total generation capacity of 950 kilowatts (kW). The program has been popular and has seen 50% annual growth over the past five years.

In October 2019, SaskPower announced a revised Net Metering Program with an energy credit established at \$0.075 / kWh (not including the federal carbon charge or municipal surcharge). This is approximately 50% of the previous energy credit rate. This rate will remain constant for the next two years until the end of 2021. At that point, the credit will be set to match the average power purchase rate over a two-year period.

The Small Power Producer program is designed for residents or businesses that want to generate some of their own electricity, and earn money by producing some electricity back onto the grid. The Small Power Producer program allows customers to generate electricity and sell excess electricity at a special rate to SL&P, which in 2019 is \$0.112594 / kWh, and has been increasing by 2% each year. Currently, nine customers participate in this program amounting to a total generation capacity of 109 kW. This program has not attracted any new customers in the past three years since the Net Metering rate is more favourable.

In Fall 2018, SaskPower replaced their Small Power Producer program with the current Power Generation Partner program, which is intended for larger-scale renewable or carbon-neutral energy projects between 100 kW and 1 Megawatt (MW) in size. This new program has a competitive bidding process, offers lower energy purchase rates, and allows SaskPower to be more selective over which renewable energy projects are approved.

2.3 Public Engagement

As the City of Saskatoon (City) typically mirrors the programs offered by SaskPower, no separate public engagement has been conducted.

2.4 City's Current Approach

SL&P's current Customer-Based Generation programs have matched the rates offered by SaskPower to ensure there are no inequities for customers regardless of where they reside (i.e. within the SL&P or SaskPower electrical franchise areas).

2.5 Approaches in Other Jurisdictions

Customer-Based Generation programs are offered by many electrical utilities across Canada. However, the energy credit or purchase rate offered to customers through these programs vary by jurisdiction and can loosely be generalized to match either the retail energy rate (e.g. Hydro Quebec) or the energy purchase rate (e.g. Saint John Energy and SaskPower) applicable to the jurisdiction. Several Canadian utilities are establishing the energy credit rate based on the cost of generating power for the utility in order to ensure financial

sustainability for the utility and rate fairness for all customers. There is also a growing trend among utilities to competitively source large-scale renewable energy in partnership with the private sector using long-term Power Purchase Agreements, which offers cost effective penetration of renewable energy into the power grid.

OPTIONS

Option 1 Match SaskPower's Net Metering Program and Suspend Small Power Producer Program

SL&P would grandfather existing Net Metering and Small Power Producer customers under current program rates until December 31, 2028, following which they would receive the new energy credit rate applicable on January 1, 2029. For new customers, SL&P would match SaskPower's revised Net Metering program with excess energy credits at a rate of \$0.075 / kWh (not including the federal carbon charge or municipal surcharge). The credits will remain indefinitely on the customer's account and will not be paid out on account closure. The energy credit rate will be adjusted periodically to match SaskPower's rate.

With this option, SL&P would no longer offer the Small Power Producer program, which has not seen any new customer participation in recent years and is no longer offered by SaskPower. Administration will review alternate options to replace the Small Power Producer and report back in 2020 with recommendations.

Implementation:

Subject to City Council approval, the revised program changes would be implemented immediately.

Implications:

1) Financial

Since the energy credit rate of \$0.075 / kWh is still higher than the bulk power rate used to purchase electricity from SaskPower, there will remain a reduced financial implication for SL&P.

For the average Net Metering customer, this would provide an estimated annual energy credit of \$231 (a decrease from \$438 under the existing program).

For SL&P, based on the current number of Net Metering customers, this decrease in energy credit results in an estimated reduced cost to the utility of \$27,500 annually (a decrease from \$58,300 under the existing program to \$30,800 under the revised program).

2) Legal

Existing Customer-Based Generation agreements do not have a term length and can be discontinued with a 60-day notice to customers. However, to be consistent with SaskPower in the transition to the new programs, SL&P would

grandfather existing Net Metering and Small Power Producer customers under current program rates until December 31, 2028, following which they would receive the new energy credit rate applicable on January 1, 2029.

3) Social

There would be no inequities in Net Metering programs between customers regardless of where they reside (i.e. within the SL&P or SaskPower electrical franchise areas). Customers grandfathered under the existing program will receive higher energy credits until the transition period expires on December 31, 2028.

4) Environmental

Customers would still have the ability to participate in the renewable energy marketplace and personally contribute toward lowering greenhouse gas (GHG) emissions from their homes and businesses.

Advantages:

- 1) A reduced energy credit rate would be more financially sustainable for the electrical utility and its rate payers.
- 2) This option will ensure that Net Metering customers will be contributing closer to the amount that other customers pay for the maintenance of the electrical grid.

Disadvantages:

- 1) The pay-back period for new Net Metering projects will increase before a positive return on investment is realized.
- 2) Customer participation rates may reduce and lower community participation in the City's Low Emissions Community strategy and GHG reduction targets.

Option 2 Maintain Existing Customer-Based Generation Programs – Status Quo

SL&P would continue with the existing Net Metering and Small Power Producer Programs and energy credit rates.

Implementation:

No changes to existing programs would be made.

Implications:

1) Financial

There would be no financial impact to Net Metering customers if the program remains unchanged. The financial impact to SL&P would stay at the existing cost of \$58,300 annually based on the existing number of customers. As the number of participating customers increases over time, the financial implication to the utility will continue to grow. This would reduce the utility's ability to fund electrical grid renewal projects and provide the current level of return on investment.

- 2) Social
There would be inequities in Net Metering programs between customers depending on where they reside (i.e. within the SL&P or SaskPower electrical franchise areas).
- 3) Environmental
Customers would still have the ability to participate in the renewable energy marketplace and personally contribute towards lowering GHG emissions from their homes and businesses.

Advantages:

- 1) Net Metering customers would continue to see an excellent return on solar investment.
- 2) The annual growth rate of customers participating in the program would likely increase, supporting community participation in the City's Low Emissions Community strategy and GHG reduction targets.

Disadvantages:

- 1) There would be inequities in Net Metering programs between customers depending on where they reside (i.e. within the SL&P or SaskPower electrical franchise areas).
- 2) The existing energy credit rate is not financially sustainable for the utility as more Net Metering customers joined the program.
- 3) Net Metering customers would contribute less financially to the maintenance of the electrical grid than other customers.

RECOMMENDATION

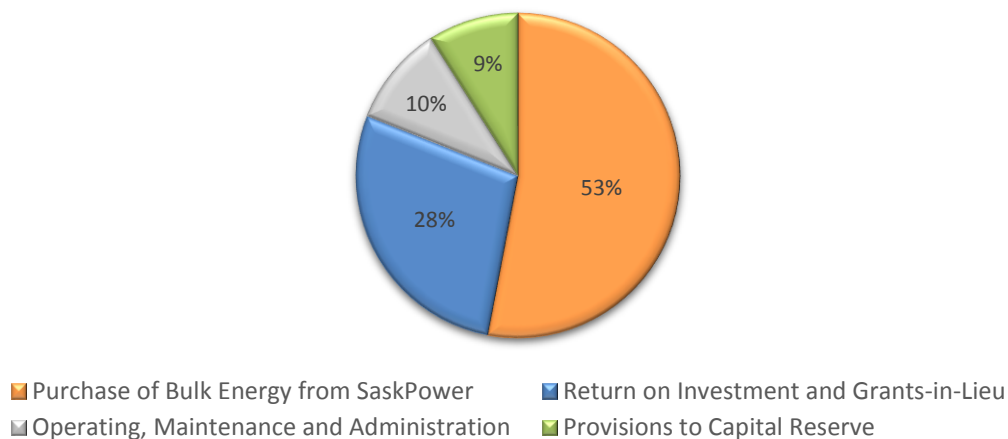
That the Standing Policy Committee on Environment, Utilities and Corporate Services recommend to City Council;

1. That Option 1, Match SaskPower's Net Metering Program and Suspend Small Power Producer Program, be approved to revise SL&P's customer-based generation programs; and
2. That Solicitors be requested to update Bylaw 2685 – Electric Light and Power Bylaw to reflect the revised Net Metering Program and suspend the Small Power Producer program as outlined in this report.

RATIONALE

SL&P purchases bulk electricity from SaskPower and provides distribution services to customers within SL&P's franchise area. One of the main expenses incurred by SL&P is the cost of purchasing the bulk power (53% of total revenue). The expense of operating and maintaining the distribution grid is funded from the sale of electricity (10% of revenue for operating expenses and 9% of revenue for capital expenses). The balance of the revenue is provided to the City as a Return on Investment and Grant-in-Lieu of taxes (28%).

Summary of Expenses



The bulk electricity rate from SaskPower in 2019 is \$0.04567 / kWh (not including the federal carbon charge). SL&P also pays a demand charge which is based on the peak power used each month. Since the majority of solar power is produced in the afternoon and the peak demand for electricity experienced by the utility occurs later in the day, the solar power purchased from Net Metering customers does not significantly offset the demand cost charges from SaskPower. It is estimated that the solar power offsets 10% of SL&P's demand charges. Therefore, SL&P's estimated break-even scenario for purchasing solar power from customers would be \$0.04968 / kWh.

The break-even scenario for SL&P would therefore be to offer this energy credit rate to Net Metering customers. If the energy credit rate for Net Metering customers is higher than this amount, SL&P is paying a premium to purchase the electricity, leaving less funding within the utility available for operating and capital expenses.

Therefore, SL&P's existing Net Metering program is not financially sustainable and could result in substantial utility financial impacts if not corrected. Matching SaskPower's new Net Metering program energy credit rate will allow customers to continue generating solar-powered electricity while paying an amount closer to the break-even cost.

Based on the current number of customers using these programs (142), the total financial implication of Net Metering, from both lost revenue as well as the premium rate for the energy credit rate, amounts to approximately \$100,000 annually for SL&P. With a growth rate of 50% in customers joining the program each year, this total implication could grow to \$3.5 million within 10 years.

SL&P also recommends suspension of the Small Power Producer program, which has seen no new customer participation in the past three years, and warrants a thorough program review for suitability for an urban utility customer base. SaskPower's replacement Power Generation Partner Program is tailored to larger commercial

facilities, which may not be best suited for urban regions such as SL&P's franchise boundary, and requires further review by Administration.

ADDITIONAL IMPLICATIONS/CONSIDERATIONS

Bylaw 2685 - Electric Light and Power Bylaw, and Administrative Policy A07-022 – Power Producer Policy, require amendments to reflect the changes in this report.

There are no privacy or CPTED implications or considerations.

COMMUNICATION ACTIVITIES

The information will be made available to the public via the City's website and through direct communications to SL&P customers currently participating in Customer-Based Generation Programs.

REPORT APPROVAL

Written by:	Jose Cheruvallath, Metering & Sustainable Electricity Manager
Reviewed by:	Trevor Bell, Director of Saskatoon Light & Power
Approved by:	Angela Gardiner, General Manager, Utilities & Environment

Admin Report - Changes to Net Metering and Small Power Producer Programs.docx

From: Peter Prebble <[REDACTED]>
Sent: Sunday, November 03, 2019 4:50 PM
To: City Council
Subject: Form submission from: Write a Letter to Council



Submitted on Sunday, November 3, 2019 - 16:50

Submitted by anonymous user: 216.197.221.140

Submitted values are:

Date Sunday, November 03, 2019

To His Worship the Mayor and Members of City Council

First Name Peter

Last Name Prebble

Email [REDACTED]

Address [REDACTED]

City Saskatoon

Province Saskatchewan

Postal Code [REDACTED]

Name of the organization or agency you are representing (if applicable) Saskatchewan Environmental Society

Subject Agenda Item 7.3.1 Recommendation on Changes to the Net Metering Program

Meeting (if known) Standing Policy Committee on the Environment, Utilities and Corporate Services

Comments

Saskatchewan Environmental Society

P.O. Box 1372, Saskatoon, Saskatchewan S7K 3N9

November 3, 2019

Dear Mayor Clark and Members of City Council,

We are writing with respect to the recommendation from Saskatoon Light and Power regarding the future of the net metering program in the Saskatoon Light and Power district. The Saskatchewan Environmental Society would be grateful for an opportunity to make an oral presentation on this matter to the Standing Policy Committee on the Environment, Utilities and Corporate Services at tomorrow morning's meeting. (Agenda item 7.3.1)

Saskatoon Light & Power and City Administration is recommending that City Council follow the lead of SaskPower and sharply reduce the amount paid for solar-generated electricity and other forms of renewable power under the net metering program.

We want to urge the Standing Committee on the Environment, Utilities and Corporate Services and all members of City Council to reject this recommendation. To be very clear, if it is implemented it will result in a dramatic decline in the installation of new solar power projects in this city, just at the very time when we should be accelerating the adoption of solar power in Saskatoon. One of the reasons for this is that the recommended net metering policy change will greatly extend the payback period for those who invest in new solar power systems. We estimate the payback period for a homeowner could easily go to 18-20 years (perhaps even longer when annual insurance costs on each solar system, inverter replacement costs, and solar system maintenance costs are

also factored in).

The recommendation deals a double blow to any Saskatoon Light and Power customer who is contemplating a solar installation in the near future. Last month Saskatoon Light and Power customers received word that the provincial Ministry of Environment will no longer be paying a 20% net metering rebate on new solar installations. For a homeowner planning a \$20,000 solar installation, that translates into a \$4,000 loss. For a larger business or condominium association planning a \$100,000 solar installation, that translates into a \$20,000 loss. Now Saskatoon Light and Power is asking to make matters worse by telling that same homeowner, business owner or condominium association that any clean power they put onto the grid will be compensated at only half the rate it has been up to now.

This recommendation from SL&P contradicts the spirit and intent of the Low Emissions Community Plan and that is very concerning. That plan, among its important features, is supposed to be about accelerating the adoption of solar power, not squashing it. The SL&P recommendation will also deal a serious blow to our local solar installers in Saskatoon. A vibrant group of small businesses have sprung up to meet the growing demand for solar installations in our city. They have developed significant experience and expertise. This recommendation, if implemented, will mean that most of them will have to lay off staff. Some will inevitably shut down. People with important experience doing solar installations will be lost from our community.

The recommendation from Saskatoon Light and Power also signals the corporation is attaching insufficient value to the importance of clean renewable power and is paying insufficient attention to the climate crisis. We have a global climate emergency on our hands. The Parliament of Canada and many cities across Canada have formally recognized that we are in a climate emergency, by way of adopting an official resolution to that effect, although the City of Saskatoon has notably not. Anyone who reads the assessment of climate change impacts around the world from bodies like the World Meteorological Organization, the United Nations, the Intergovernmental Panel on Climate Change or the World Health Organization recognizes that greenhouse gas emissions from fossil fuel burning represent an exceptionally dangerous threat to the future of the human race. The wildfires currently burning in California are just a glimpse of what lies ahead if we don't slash greenhouse gas emissions, as does the increasingly acidifying ocean waters off of all Canada's coasts, and the increasingly powerful hurricanes around the globe that are being driven by hotter ocean temperatures and a warmer atmosphere.

When Saskatoon Light and Power buys electricity from SaskPower it is buying electricity with some of the highest air pollution content and greenhouse gas pollution content in all of Canada. That's because the SaskPower grid produces 77% of its electricity by burning fossil fuels. In contrast, when Saskatoon Light and Power receives electricity from its net metering customers that deploy solar power, it is receiving electricity with 1/17 of the lifecycle greenhouse gas emissions of conventional coal-fired power and 1/10 of the emissions associated with natural-gas fired electricity. In the analysis SL&P is presenting to Council today, Saskatoon Light and Power is not attaching an economic cost to the pollution from the fossil-fuel fired electricity it distributes across the Saskatoon grid. Nor is it attaching a positive economic value to the very low-emissions associated with the electricity it receives from its net metering customers, virtually all of whom have installed solar power systems.

We also want to bring to Council's attention that net metering customers still pay their monthly electricity charge to Saskatoon Light and Power to help cover administration and grid distribution and maintenance costs. They do so even in months in which they meet most of their electricity needs from their renewable energy installation.

We understand that under normal circumstances there is logic in having similar net metering policies for all Saskatoon residents. But these are not normal circumstances. A very unwise decision by SaskPower and the provincial government does not merit replication by Saskatoon City Council. We are surprised that Saskatoon

Light and Power thinks it does.

In conclusion, we urge you to turn down the recommendation from Saskatoon Light and Power and City administration on net metering policy changes. We also ask that you provide clear guidance to City administration regarding the importance of expanding solar power - asking that in the future Administration should come forward with advice that accelerates the adoption of solar power in Saskatoon, rather than advice that impedes it.

Thank you for considering this submission.

Sincerely,

Peter Prebble, Board Member

Ann Coxworth, Board Member

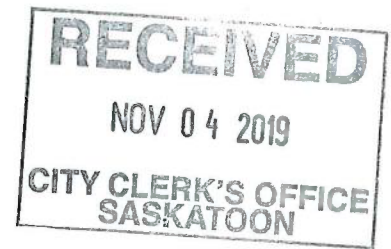
Saskatchewan Environmental Society

Attachments

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/347509>

From: Michael Nemeth <michael@brightbuildings.ca>
Sent: Saturday, November 02, 2019 4:04 PM
To: City Council
Subject: Form submission from: Write a Letter to Council



Submitted on Saturday, November 2, 2019 - 16:04

Submitted by anonymous user: 204.83.42.41

Submitted values are:

Date Saturday, November 02, 2019
To His Worship the Mayor and Members of City Council
First Name Michael
Last Name Nemeth
Email michael@brightbuildings.ca
Address [REDACTED]
City Saskatoon
Province Saskatchewan
Postal Code [REDACTED]
Name of the organization or agency you are representing (if applicable) n/a
Subject Net Metering and a Renewable Energy Strategy (Power-to-gas)
Meeting (if known) STANDING POLICY COMMITTEE ON ENVIRONMENT, UTILITIES AND CORPORATE SERVICES November 04, 2019
Comments
Good day Mayor and Councillors,

I write to you today on my own behalf and as an engineer who's studied sustainable energy options in Saskatchewan. I should note I'm a board member of the SES Solar Coop and the townhouse development I live in, Radiance Cohousing, hosts a 40 kilowatt solar array, but I'm not speaking for either of those groups in this letter.

With action on climate change and sustainability it's hard to know what to do next. Thankfully the Low Emissions Community Plan provides a roadmap. We can develop renewable energy programs in the context of these future sustainability goals. Net Metering has been an important program in the development of renewable energy in Saskatchewan and I hope that it continues to be.

I'd like to first highlight two actions from the LEC Plan related to expansion of solar power:

- 32. Encourage existing residential building owners and mandate new buildings to install solar PV systems.
- 33. Encourage existing ICI building owners and mandate new buildings to install solar PV systems.

Reading further in the plan, both of these actions relate to the development of PACE financing programs to facilitate installation of solar arrays, but research isn't due to start on a PACE program until 2020 and implementation isn't expected until after 2022. There is a significant gap between now and then.

SaskPower's changes to the Net Metering program include a dramatic 50% reduction in the credit for solar

energy and the removal of the rebate. This will mean a substantial setback to the solar industry when the intention is to expand it.

I suggest that the City of Saskatoon maintain the previous Net Metering program until a new renewable energy strategy can be consulted on, developed and transitioned to.

There are many co-benefits with small scale, roof top solar that aren't achieved with utility scale systems. First is land use, and that it encourages businesses and individuals to maximize unused roof space instead of building on farm land or wildlife habitat. As well, roof-top solar is distributed generation, much of the power is used near the point it's produced, actually putting less load on transmission infrastructure.

Net Metering encourages consumers to play an active role in their energy production which leads to more conscientious energy consumption, consideration of energy conservation options, perhaps even net-zero energy or passive house. Seeing solar panels installed in the community is a powerful image, "We are generating our own sustainable energy and you can too."

I understand the need to cover grid maintenance costs. And having the grid back-up is not free. There is a cost to energy storage. I also suggest we expand our efforts in energy conservation. But to meet the goals of the Low Emissions Community Plan, the City of Saskatoon will need more incentives and comprehensive programming to rapidly roll out renewable energy infrastructure.

A comprehensive renewable energy strategy should be developed in the context of a future sustainable energy market where businesses and individuals wanting to generate sustainable energy would be paid for their surplus renewable energy by a central agency to be stored for on-demand consumption. It should demonstrate practical energy storage solutions. The LEC Plan indicates at least two action items on energy storage.

38. Install renewable energy storage over time.

40. Procure renewable natural gas from third party producers.

Energy storage is needed to provide a complete renewable energy picture. The City of Saskatoon should accelerate and facilitate the development of this energy storage system just as it provides other critical utilities.

Our current energy infrastructure, predicated on the technologies of the 20th century, needs to adapt to the new technologies of the 21st century. Unfortunately we need to subsidize an aging energy system we've been failing to invest in and modernize it to be sustainable.

Batteries are often mentioned for energy storage and while they offer high efficiency short term storage they do not offer seasonal storage as we require with our cold winters. Thankfully, Power-to-Gas technology has been developed and is being piloted in a 20 megawatt Enbridge project in Markham, Ontario, as well as several projects in Germany at 100 megawatts. These projects will supplement the natural gas grid with renewable hydrogen gas made from renewable electricity and water. There are technologies to make renewable methane / renewable natural gas from the resulting hydrogen, by combining atmospheric carbon.

The natural gas grid already exists and includes several vast natural gas storage caverns. A future 100% renewable energy system would re-purpose the gas network as a seasonal renewable energy storage system. SaskEnergy and TransGas would have an important role to play in piloting the technology. Electricity could be recovered from the carbon neutral gas through existing gas power plants or through stationary fuel cells.

Let's get started now, as with any new technology, there will be challenges to overcome. I feel that the concept alone is empowering, it's important to know there is a method to provide dispatchable renewable energy. Renewable methane also holds much potential for powering aerospace, heavy industry, agricultural equipment

and it can even be liquefied for export.

Let's take this opportunity to kick start a new era for the Saskatchewan energy industry. Let's start talking about building renewable pipelines and exporting sunshine. Let's develop a renewable energy strategy that gets it done in the next 10 years.

Attachments

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/347354>



STANDING POLICY COMMITTEE ON TRANSPORTATION

Snow Clearing of Adjoining Cycling Infrastructure and Sidewalks

Recommendation of the Committee

That Option 1 in the report of the General Manager, Transportation & Construction Department dated November 4, 2019, be adopted.

History

At the November 4, 2019 Standing Policy Committee on Transportation meeting, a report of the General Manager, Transportation and Construction dated November 4, 2019 was considered.

Your Committee also resolved that the Administration report back on opportunities to work with Downtown Saskatoon on both communications and physical handling of snow.

Attachment

November 4, 2019 report of the General Manager, Transportation and Construction.

Admin Report - Snow Clearing - Adjoining Cycling Infrastructure and Sidewalks.docx

ISSUE

Due to the timing of when the property owners clear snow from the sidewalks and the city clears snow from the adjacent cycling infrastructure, there are occasions when snow from the adjoining sidewalk is placed into the cycling infrastructure along 23rd Street between Spadina Crescent and Idylwyld Drive, after the cycling infrastructure has already been cleared following a snowfall.

BACKGROUND

City Council at its Regular Business Meeting held on August 13, 2018, considered the Update to Bylaw No. 8463, The Sidewalk Clearing Bylaw, 2005 which revised the requirement for owners or occupants to clear the sidewalk in front of their properties within 24 hours of a snowfall and resolved, in part:

- “4. That the Administration report on potential options available to mitigate the problems (time gap) with snow removal between the sidewalks and the bike lanes.”

Snow clearing of the sidewalk is the responsibility of the owner or occupant of the adjoining property. Snow clearing of the adjoining cycling infrastructure is the responsibility of the City of Saskatoon.

In 2018, City Council approved an update to Bylaw No. 8463, The Sidewalk Clearing Bylaw, 2005. The update permitted the owner or occupant of the adjoining property to clear or remove snow by placing it in the adjacent cycling infrastructure along 23rd Street. Prior to this change, all snow from the sidewalk had to be placed on private property.

Temporary dedicated bike lanes were installed between the parking lane and the sidewalk in 2015 in this area as a pilot project. The resulting recommendation was to keep the lanes until a downtown Active Transportation Network was developed. Stakeholder consultation on the design of the network will begin in 2021 with a report back to the Standing Policy Committee prior to the end of 2021. Options for better coordination of snow removal with the owner or occupant of the adjoining property will be considered during the design of the Active Transportation Network.

CURRENT STATUS

The City of Saskatoon does not have an approved level of service for snow clearing of cycling infrastructure. The current practice is to clear the cycling infrastructure within 24 hours of a snowfall.

After the cycling infrastructure is initially cleared by the City, cyclists frequently encounter snow piles. The piles are from the snow clearing of the adjacent sidewalk.

Those sections of the cycling infrastructure are then cleared again by the City to provide full mobility to cyclists.

The property owners or occupants that place snow into the cycling infrastructure after it has already been cleared are not in violation of the Sidewalk Clearing Bylaw as long as the snow is cleared from the sidewalk within 24 hours of the snowfall end.

DISCUSSION/ANALYSIS

Public Engagement

Residents were engaged in a survey in early 2017 on winter road and sidewalk maintenance. Those residents who use the downtown protected cycling infrastructure were further asked about their experience:

- 15% did not experience challenges or restrictions,
- 63% did experience challenges, but the cycling infrastructure was useable; and
- 22% indicated cycling infrastructure was not useable over the winter.

Options to mitigate the time gap of snow removal between sidewalks and the bike lanes have been reviewed and are provided below:

Option	Description	Advantages/Disadvantages
1. Status Quo with improved communication with the owner or occupant of the adjoining property	<p>This option maintains the current practice. The owners or occupants of the adjoining properties along 23rd Street between Spadina Crescent and Idylwyld Drive would remain responsible for clearing snow from the sidewalk and placing it in the adjacent cycling infrastructure within 24 hours of a snow fall.</p> <p>Improved communication with the owners or occupants of the adjoining properties would be carried out. The purpose of the improved communication would be to ensure they are aware of the cycling infrastructure clearing schedule. This would minimize the number of occurrences where snow is placed in the cycling infrastructure after it has already been cleared.</p>	<p><u>Advantages:</u></p> <ul style="list-style-type: none"> ▪ No additional costs for the City. ▪ Improved communication may reduce the number of instances where the owners or occupants push snow into the cycling infrastructure after it has already been cleared. <p><u>Disadvantages:</u></p> <ul style="list-style-type: none"> ▪ Cyclists may continue to experience instances where they encounter snow piles after the cycling infrastructure has already been cleared. ▪ Inefficient due to City crews having to return to clear snow from the bike lanes.

Option Cont.	Description Cont.	Advantages/Disadvantages Cont.
2. City of Saskatoon removes snow from both, sidewalk and cycling infrastructure	<p>The City of Saskatoon assumes responsibility for clearing the sidewalk along 23rd Street between Spadina Crescent and Idylwyld Drive until the expanded downtown Active Transportation Network is in place.</p> <p>This option ensures that both the sidewalk and cycling infrastructure are cleared at the same time.</p>	<p><u>Advantages:</u></p> <ul style="list-style-type: none"> ▪ Cyclists would not experience piles of snow in the cycling infrastructure after it has already been cleared by the City. ▪ No repeat City crew visits to clear snow from the cycling infrastructure. <p><u>Disadvantages:</u></p> <ul style="list-style-type: none"> ▪ Additional annual cost of \$30,000. ▪ Property owners or occupants along 23rd Street receive a service from the City while the owners or occupants along other routes are responsible for clearing the adjoining sidewalk. ▪ May raise expectations from the owners and occupants along 23rd Street that the City will continue to clear snow from the adjoining sidewalk after the expanded downtown Active Transportation Network is in place.
3. Owner or occupant of the adjoining property clears the cycling infrastructure	<p>This option includes amending the Sidewalk Clearing Bylaw further to have the owner or occupant of the adjoining property be responsible for clearing both the adjoining sidewalk and cycling infrastructure along 23rd Street.</p>	<p><u>Advantages:</u></p> <ul style="list-style-type: none"> ▪ Cyclists would not experience piles of snow. <p><u>Disadvantages:</u></p> <ul style="list-style-type: none"> ▪ Property owners would be required to either invest additional time and effort, or incur additional costs to clear the snow from the cycling infrastructure. ▪ Cycling infrastructure would not all be cleared at the same time.

The annual cost of snow clearing of the cycling infrastructure along 23rd Street would increase by approximately twofold if Option 2 were selected. Regardless of the challenges with the snow piles, 78% of residents surveyed in 2017 indicated the downtown cycling infrastructure was useable in the winter months. This indicates that the benefits of Option 2 would be small relative to the incremental cost.

Option 3 would create hardship for the adjacent owners or occupants. Additionally, it would only result in improved winter cycling conditions if the clearing work by multiple owners or occupants were all done at the same time, which would be unlikely to occur.

Approaches in Other Jurisdictions

The City of Calgary has protected cycling infrastructure adjacent to their sidewalks similar to Saskatoon, however, they generally do not have adjacent parking lanes. The owners or occupants of properties adjacent to the cycling infrastructure are instructed to pile snow at the edge of the sidewalk. This approach is not recommended for Saskatoon as the snow piles on the sidewalk create a hazard for those approaching parked vehicles from the sidewalk.

The City of Edmonton encourages the owners or occupants of the adjoining properties not to deposit snow into the cycling infrastructure. Edmonton inspects their cycling infrastructure and if they find snow piles, they will remove them. Edmonton is planning an assessment to determine strategies for next year's winter season.

The City of Winnipeg clears all sidewalks and cycling infrastructure.

The City of Regina does not have cycling infrastructure protected with delineation posts. Their cycling infrastructure is on the street with no physical features separating it from the traffic lane, so they clear the cycling infrastructure and traffic lane at the same time.

IMPLICATIONS

There are no financial, legal, social, or environmental implications identified.

NEXT STEPS

The Administration will continue with the current practice of clearing cycling infrastructure within 24 hours of a snowfall or as directed by City Council.

Report Approval

Written by:	Tracy Danielson, Roadways Manager
Reviewed by:	Goran Saric, Director of Roadways, Fleet & Support Jay Magus, Director of Transportation
Approved by:	Terry Schmidt, General Manager, Transportation & Construction Department

Thompson, Holly

From: Randy Pshebylo <randy@riversdale.ca>
Sent: Monday, November 18, 2019 7:20 AM
To: City Council
Subject: Form submission from: Write a Letter to Council

Submitted on Monday, November 18, 2019 - 07:19

Submitted by anonymous user: 174.2.249.79

Submitted values are:

Date Monday, November 18, 2019

To His Worship the Mayor and Members of City Council

First Name Randy

Last Name Pshebylo

Email randy@riversdale.ca

Address 344 20th Street West

City Saskatoon

Province Saskatchewan

Postal Code S7M 0X2

Name of the organization or agency you are representing (if applicable) Riversdale Business Improvement District

Subject 8.4.3 Overnight Parking Restrictions in Business Improvement Districts

Meeting (if known) City Council Meeting November 18, 2019

Comments

The Executive Director of the Riversdale Business Improvement District respectfully requests to speak to item 8.4.3 Overnight Parking Restrictions in Business Improvement Districts [Files CK 6120-1, x1680-1] at the Monday, November 18, 2019 meeting of Saskatoon City Council.

Attachments

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349524>



STANDING POLICY COMMITTEE ON TRANSPORTATION

Chief Mistawasis Bridge Traffic Impact Assessment

Recommendation of the Committee

That a speed study be done at the Chief Mistawasis Bridge corridor, including if there are any instances of accidents involving wildlife, with a comparison to other roadways surrounding the city, and any information regarding traffic infractions.

History

At the November 4, 2019 Standing Policy Committee on Transportation meeting, an information report of the General Manager, Transportation and Construction dated November 4, 2019 was considered.

Attachment

November 4, 2019 report of the General Manager, Transportation and Construction.

Admin Report - Chief Mistawasis Bridge Opening Traffic Impacts.docx

ISSUE

Chief Mistawasis Bridge opened October 2, 2018. The bridge provides a connection between Marquis Drive on the west and McOrmond Drive on the east. Traffic patterns were impacted at a number of studied locations.

BACKGROUND

This report quantifies the impacts to traffic at various locations following the opening of the Chief Mistawasis Bridge.

CURRENT STATUS

Traffic signal adjustments took place at intersections near the Chief Mistawasis Bridge prior to opening day and subsequent to the opening, traffic signals at various intersections in the city have been modified according to observed changes in demand. No intersection improvements have been made. The analysis included in Appendix 1 reflects the current conditions.

DISCUSSION/ANALYSIS

A traffic impact assessment after the Chief Mistawasis Bridge opened was completed. The assessment included quantifying the impact the bridge had on daily traffic volumes on specific road segments and other bridges, as well as the analysis of the impact on weekday peak hour traffic at several key signalized and unsignalized intersections.

The assessment of daily traffic volumes was completed on 15 different road segments, specifically reviewing the change to average daily traffic since the bridge opened. On the Chief Mistawasis Bridge the average daily traffic was 9,900. On the Circle Drive North Bridge there was a reduction in average daily traffic by 9,800.

Weekday peak hour analysis was completed for 10 signalized intersection and five unsignalized intersections with the following outcomes:

1. In the short-term, continue to monitor and adjust signal timings at impacted intersections.
2. As part of the North Saskatoon Transportation Study, include an improvement plan for the intersection of Marquis Drive and Idylwyld Drive.
3. Begin stakeholder consultation for the previously identified improvements at the intersection of 51st Street and Millar Avenue.
4. Revisit the previously completed functional planning study for the Circle Drive and Idylwyld Drive interchange once Phase 1 of the Saskatoon Freeway Functional Planning project is complete.
5. Complete an intersection improvement study for the intersections of Attridge Drive and Central Avenue in advance of the Bus Rapid Transit (BRT) project.

6. The intersection of Lowe Road and Nelson Road was discussed during the University Heights Suburban Centre Neighbourhood Traffic Review meeting held in September 2019. Residents supported improving signage and retaining the four-way stop in the short term. Long term the intersection will be placed on the prioritization list for intersections to be signalized.
7. Adjust lane designations (i.e. signs and pavement markings) at the intersection of Kerr Road and Kenderdine Road.

Detailed analysis and discussion is provided in the accompanying document Chief Mistawasis Bridge Traffic Impact Assessment.

IMPLICATIONS

There are no legal, social, or environmental implications identified. The financial implication of future geometric improvements will be identified during the completion of the appropriate engineering reviews and reported in the future.

NEXT STEPS

Traffic signal timing adjustments and changes to lane designations (i.e. signs and pavement markings) will occur in fall 2019.

Upon completion of the engineering work at the various intersections, the Administration will report back with the recommended geometric improvements and requests for funding through Capital Project #2288 - TU - Transportation Safety as part of future budget deliberations.

APPENDICES

1. Chief Mistawasis Bridge Traffic Impact Assessment

Report Approval

Written by:	Justine Marcoux, Transportation Engineer
Reviewed by:	David LeBoutillier, Engineering Manager, Transportation Jay Magus, Director of Transportation
Approved by:	Terry Schmidt, General Manager, Transportation & Construction Department

2019

Chief Mistawasis Bridge Traffic Assessment



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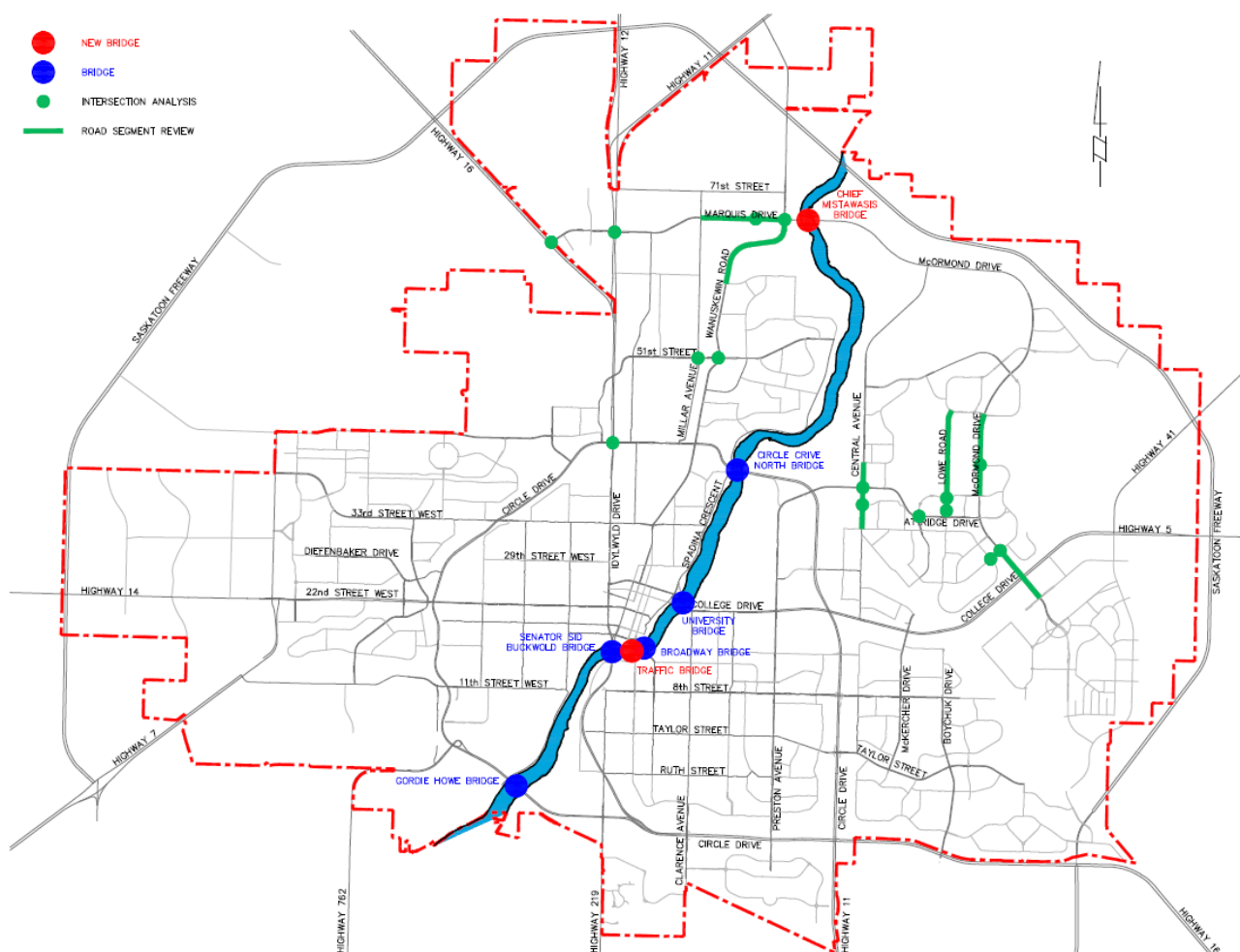
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1. Introduction

The Chief Mistawasis Bridge and the Traffic Bridge opened in October 2018. This report outlines the traffic impacts due to the bridge openings. Assessments are as follows:

- Bridge Traffic Comparisons
- Road Segment Review
- Intersection Analysis

The study locations are illustrated in Figure 1.



2. Bridge Traffic Comparison

The Average Daily Traffic observed on Saskatoon's bridges is illustrated in Figure 2. The data was collected in early 2019.

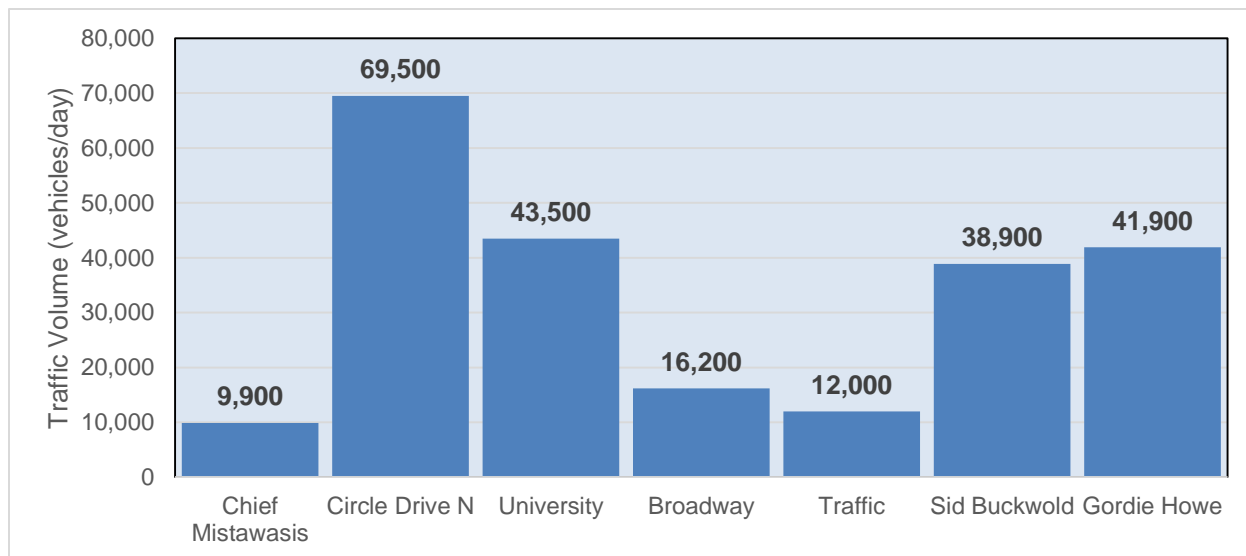


Figure 2: Average Daily Traffic – Bridges

A review of the information presented in the figure above yields the following observations:

- The Chief Mistawasis Bridge has been operating with approximately 10,000 vehicles per day (vpd) since opening, resulting in a reduction of approximately 10,000 vpd on the Circle Drive North Bridge.
- The re-opened Traffic Bridge has been operating at approximately 12,000 vpd. There may be some impact to this volume due to construction on the nearby Sid Buckwold Bridge.
- Traffic volumes on the remaining bridges are relatively unchanged since the opening of the two new bridges.

3. Road Segment Review

The street network is comprised of various street types, each of which performs a particular function in facilitating the way people and goods move through and within the city. The City of Saskatoon street classifications characteristics for the street types included in the study are summarized in Table 1.

Table 1: City of Saskatoon Street Classifications Characteristics

Characteristic	Collectors		Arterials		Expressways/ Freeways
	Residential	Commercial	Minor	Major	
Traffic Service Function	Traffic movement and land access of equal importance		Traffic movement major consideration	Traffic movement primary consideration	Traffic movement primary consideration
Typical Traffic Volume (veh/day)	<5,000	8,000 to 10,000	5,000 to 25,000		>10,000 / >20,000
Traffic Flow Characteristics	Interrupted flow		Uninterrupted flow except at signals and crosswalks		Free-flow (grade separated) Uninterrupted flow except at signals
Typical Posted Speed Limits (kph)	50		50 to 70		80 to 90
Typical Vehicle Type	Passenger and service vehicles	All types	All types	All types, large portion of trucks	All types, large portion of trucks

The before and after Average Daily Traffic volumes for a number of various street segments are presented in Table 2.

Table 2: Road Segment Traffic Changes

Segment	Road Classification	Previous Observations		2019	Change
		Year	AADT	ADT	
Chief Mistawasis Bridge	Major Arterial	-	-	9,900	-
Circle Drive (North) Bridge	Expressway	2018	79,300	69,500	-9,800
University Bridge	Major Arterial	2017	43,100	43,500	+400
Broadway Bridge	Major Arterial	2018	17,900	16,200	-1,700
Traffic Bridge	Commercial Collector	2018	6,100	12,000	+5,900
Sid Buckwold Bridge	Freeway	2017	45,400	38,900	-6,500
Gordie Howe Bridge	Freeway	2018	43,500	41,900	-1,600
Marquis Drive (Millar Avenue – Arthur Rose Avenue)	Major Arterial	2017	5,300	7,800	+2,500
Central Avenue (Attridge Drive – Konihowski Road)	Major Arterial	2015	9,300	13,500	+4,200
Central Avenue (Attridge Drive – 115 th Street)	Major Arterial	2018	11,000	13,200	+2,200
Lowe Road (Nelson Road – Evergreen Boulevard)	Commercial Collector	2016	6,500	5,500	-1,000
McOrmond Drive (Stensrud Road – Baltzan Boulevard)	Major Arterial	2016	7,600	13,200	+5,600
Wanuskewin Road (south of Marquis Drive)	Major Arterial	2016	10,800	9,800	-1,000
McOrmond Drive (Kerr Road – College Drive)	Major Arterial	2016	39,200	25,100	-14,100
McOrmond Drive (South of College Drive)	Major Arterial	New in 2019	-	9,000	-

Note: AADT = Annual Average Daily Traffic, ADT = Average Daily Traffic,

A review of the information presented in the table above yields the following observations:

- In general, the streets directly connected to the new Chief Mistawasis Bridge saw increased daily traffic.
- Previous alternate routes connecting to the Circle Drive North Bridge saw some decreases.

4. Intersection Analysis – Signalized Intersections

The North American traffic engineering standard for measuring the performance of a signalized intersection is to measure the *average delay* in seconds a driver will experience in completing a maneuver. The software used to analyze the intersection calculates an average delay to each movement based on the traffic volumes, permitted movements and signal timing. This average delay corresponds to established Levels of Service (LOS). The LOS can range from A to F (the shorter the average delay the better the LOS, the longer the average delay the worse the LOS). Generally, the City prefers to avoid LOS E and F. However, a LOS E or F does not indicate the need for or trigger improvements. Other considerations include: the traffic volume performing the problematic movement with LOS E or F, intersection geometrics and signal operation, intersection spacing, road classification, availability of alternate routes, pedestrian movements, access management, type of adjacent land use, future development in the area and cost. A summary of the Level of Service characteristics for signalized intersections is provided in Table 3.

Table 3: Level of Service Characteristics (signalized)

Average Control Delay (sec./veh.)	Level of Service	General Description
≤ 10	A	Free Flow
>10 to 20	B	Stable Flow (slight delays)
>20 to 35	C	Stable Flow (acceptable delays)
>35 to 55	D	Approaching unstable flow (tolerable delay, occasional wait through more than one signal cycle before proceeding)
>55 to 80	E	Unstable flow
>80	F	Forced flow

Detailed intersection analysis, including weekday AM and PM peak hours, was completed for the following signalized intersections:

- Marquis Drive and Wanuskewin Drive
- Marquis Drive and Arthur Rose Avenue
- Marquis Drive and Idylwyld Drive
- Marquis Drive and Highway 16
- 51st Street and Warman Road
- 51st Street and Millar Avenue
- Circle Drive and Idylwyld Drive
- Attridge Drive and Central Avenue
- Attridge Drive and Berini Drive
- McOrmond Drive and Kerr Road

A summary of the analysis for each intersection is provided in Table 4. Detailed analysis results for each intersection movement is provided in Appendix 1.

Table 4: Intersection Analysis – Signalized Intersections

Intersection	Weekday AM Peak Hour			Weekday PM Peak Hour		
	Max v/c ratio	Average Delay (s)	LOS	Max v/c ratio	Average Delay (s)	LOS
Marquis Drive and Wanuskewin Drive	0.53	24.6	C	0.8	35.7	D
Marquis Drive and Arthur Rose Avenue	0.63	15.7	B	0.91	23.1	C
Marquis Drive and Idylwyld Drive	1.28	59.9	E	2.29	163.4	F
Marquis Drive and Highway 16	0.62	37.4	D	0.58	32.3	C
51st Street and Warman Road	0.82	38.3	D	1.11	44	D
51st Street and Millar Avenue	0.84	38.7	D	1.83	177.5	F
Circle Drive and Idylwyld Drive	0.72	20.7	C	1.05	55	E
Attridge Drive and Central Avenue	0.88	33	C	0.99	68.2	E
Attridge Drive and Berini Drive	0.83	24	C	0.85	21.4	C
McOrmond Drive and Kerr Road	0.75	18.7	B	0.74	21.4	C

v/c – volume to capacity; LOS – Level of Service

A review of the information provided in the table above and Appendix 1 yield the following observations:

- Marquis Drive and Idylwyld Drive – multiple intersection movements, notably eastbound and westbound movements, provide a poor LOS with significant delays in both AM and PM peak hours.
- 51st Street and Millar Avenue – multiple intersection movements, notably southbound and northbound movements, provide a poor LOS with significant delay mostly in the weekday PM peak hour.
- Circle Drive and Idylwyld Drive – multiple intersection movements, in all directions, provide a poor LOS with significant delay mostly in the weekday PM peak hour.
- Attridge Drive and Central Avenue – multiple intersection movements, in all directions, provide a poor LOS with significant delay mostly in the weekday PM peak hour.

The following is recommended:

- In the short-term, continue to monitor and adjust signal timings at impacted intersections.
- As part of the North Saskatoon Transportation Study include an intersection improvement plan for the intersection of Marquis Drive and Idylwyld Drive.
- Begin stakeholder consultation for the previously identified required improvement at the intersection of 51st Street and Millar Avenue.
- Revisit the previously completed functional planning study for the Circle Drive and Idylwyld Drive interchange once Phase 1 of the Saskatoon Freeway Functional Planning project is complete. More details are provided in Appendix 4.
- Complete an intersection improvement study for the intersections of Attridge Drive and Central Avenue in advance of the Bus Rapid Transit (BRT) project.

5. Intersection Analysis – Unsignalized Intersections

Details of the Level of Service for unsignalized intersections is provided in Table 5.

Table 5: Level of Service Standards (unsignalized)

Average Control Delay (sec./veh.)	Level of Service	General Description
<= 10	A	Free Flow
>10 to 15	B	Stable Flow (slight delays)
>15 to 25	C	Stable Flow (acceptable delays)
>25 to 35	D	Approaching unstable flow (tolerable delay, occasional wait through more than one signal cycle before proceeding)
>35 to 50	E	Unstable flow
>50	F	Forced flow

Detailed intersection analysis was completed for the following unsignalized intersections:

- McOrmond Drive and Stensrud Road (north)
- Central Avenue and Reid Road/Rossmo Road
- Lowe Road and Nelson Road
- Lowe Road and Ludlow Street
- Kerr Road and Kenderdine Road

A summary of the analysis for each of the unsignalized intersections is provided in Table 6. In addition, assessments were conducted to determine the need for traffic signals in adherence to the Traffic Signal and Pedestrian Signal Head Warrant Handbook. A warrant system assigns points for a variety of conditions including:

- Number of traffic lanes;
- Posted speed limit of the street;
- Distance to the nearest protected traffic signal; and
- Number of pedestrians and vehicles at the location.

Pedestrians and traffic data was collected during the peak hours of 7:00 a.m. to 9:00 a.m., 11:30 a.m. to 1:30 p.m., and 4:00 p.m. to 6:00 p.m. Full details of the intersection analysis for the unsignalized locations are provided in Appendix 2. Traffic Signal Warrants are provided in Appendix 3.

Table 6: Intersection Analysis – Unsignalized Intersections

Intersection	Weekday AM Peak Hour			Weekday PM Peak Hour			Traffic Signal Warrant
	Max v/c ratio	Average Delay (s)	LOS	Max v/c ratio	Average Delay (s)	LOS	
McOrmond Drive and Stensrud Road (north)	0.42	3.3	A	0.52	2.8	A	56 (Traffic Signal NOT warranted)
Central Avenue and Reid Road / Rossmo Road	0.52	5.5	A	1.17	16.5	C	74 (Traffic Signal NOT warranted)
Lowe Road and Nelson Road	0.61	18.9	C	0.63	20.4	C	112 (Traffic Signal warranted)
Lowe Road and Ludlow Street	0.6	4.8	B	0.62	8.7	B	86 (Traffic Signal NOT warranted)
Kerr Road and Kenderdine Road	0.44	9.8	A	1.02	37.1	E	66 (Traffic Signal NOT warranted)

A review of the information provided in Table 5, Table 6, Appendix 2 and Appendix 3 yield the following observations:

- Traffic signals are not warranted at the intersection of McOrmond Drive and Stensrud Road (north), the intersection of Central Avenue and Reid Road/ Rossmo Road, the intersection of Lowe Road and Ludlow Street.
- Traffic signals are warranted at the intersection of Lowe Road and Nelson Road.
- At the intersection of Kerr Road and Kenderdine Road there is a poor LOS for the southwest bound movement in the weekday PM peak hour.

The following is recommended:

- Place the intersection of Lowe Road and Nelson Road on the prioritization list for intersections to be signalized.
- Adjust lane designations (i.e. signs and pavement markings) at the intersection of Kerr Road and Kenderdine Road.

6. Summary

6.1 Bridge Traffic Comparison

The Chief Mistawasis Bridge has been operating with approximately 10,000 vpd, resulting in a reduction of approximately 10,000 vpd on the Circle Drive North Bridge. The Traffic Bridge has been operating at approximately 12,000 vpd. There may be some impact to the volume due to construction of the nearby Sid Buckwold Bridge.

Traffic volumes on the remaining bridges are relatively unchanged since the opening of the two new bridges.

6.2 Road Segment Review

In general, the streets directly connected to the new Chief Mistawasis Bridge saw increased daily traffic, and previous alternate routes connecting to the Circle Drive North Bridge saw some decreases.

6.3 Intersection Recommendations

The following is recommended:

1. In the short-term, continue to monitor and adjust signal timings at impacted intersections.
2. As part of the North Saskatoon Transportation Study include an intersection improvement plan for the intersection of Marquis Drive and Idylwyld Drive.
3. Begin stakeholder consultation for the previously identified required improvement at the intersection of 51st Street and Millar Avenue.
4. Revisit the previously completed functional planning study for the Circle Drive and Idylwyld Drive interchange once Phase 1 of the Saskatoon Freeway Functional Planning project is complete.
5. Complete an intersection improvement study for the intersections of Attridge Drive and Central Avenue in advance of the BRT project.
6. Place the intersection of Lowe Road and Nelson Road on the prioritization list for intersections to be signalized.
7. Adjust lane designations (i.e. signs and pavement markings) at the intersection of Kerr Road and Kenderdine Road.

Appendix 1: Intersection Analysis – Signalized Intersections

Marquis Drive and Wanuskewin Drive

Movement		Weekday AM Peak Hour				Weekday PM Peak Hour			
		v/c ratio	Delay (s)	LOS	Queue (m)	v/c ratio	Delay (s)	LOS	Queue (m)
SB	LT	0.49	35.2	D	45.8	0.74	57.5	E	77.7
	Thru	0.53	28.5	C	56.8	0.29	25.6	C	45.0
	RT	0.27	4.0	A	9.1	0.05	0.2	A	0
NB	LT	0.32	33.0	C	28.4	0.31	51.9	D	23.6
	Thru	0.32	30.8	C	24.8	0.80	43.7	D	99.0
	RT	0.08	0.4	A	0	0.34	6.8	A	16.5
EB	LT	0.06	34.9	C	6.7	0.27	39.0	D	26.1
	Thru	0.11	26.2	C	13.2	0.70	39.2	D	94.6
	RT	0.03	0.1	A	0	0.05	0.1	A	0
WB	LT	0.24	34.9	C	17.9	0.20	49.1	D	13.3
	Thru	0.51	24.9	C	71.0	0.26	41.3	D	23.7
	RT	0.22	2.7	A	6.3	0.38	5.8	A	10.6
Intersection Summary		Max 0.53	Average 24.6	C	-	Max 0.80	Average 35.7	D	-

Marquis Drive and Arthur Rose Avenue

Movement		Weekday AM Peak Hour				Weekday PM Peak Hour			
		v/c ratio	Delay (s)	LOS	Queue (m)	v/c ratio	Delay (s)	LOS	Queue (m)
SB	LT/Thru/RT	0.05	5.1	A	5.1	0.10	6.4	A	7.9
NB	LT/Thru/RT	0.29	10.9	B	22.9	0.24	8.6	A	16.2
EB	LT	0.54	29.6	C	21.1	0.09	12.9	B	7.0
	Thru/RT	0.23	7.2	A	10.7	0.91	28.7	C	88.2
WB	LT	0.14	13.6	B	8.5	0.34	21.7	C	11.1
	Thru/RT	0.69	19.0	B	46.8	0.20	13.0	B	15.5
Intersection Summary		Max 0.63	Average 15.7	B	-	Max 0.91	Average 23.1	C	-

Marquis Drive and Idylwyld Drive

Movement		Weekday AM Peak Hour				Weekday PM Peak Hour			
		v/c ratio	Delay (s)	LOS	Queue (m)	v/c ratio	Delay (s)	LOS	Queue (m)
SB	LT	0.88	100.9	F	144.6	0.86	9104.1	F	125.0
	Thru	0.85	40.8	D	322.7	0.59	31.6	C	188.6
	RT	0.08	0.9	A	2.4	0.11	3.0	A	9.1
NB	LT	0.47	87.2	F	32.1	0.68	90.3	F	52.2
	Thru	0.43	36.2	D	113.8	1.09	93.7	F	436.7
	RT	0.34	4.2	A	19.8	0.16	5.2	A	14.1
EB	LT	0.30	52.7	D	35.3	1.00	113.8	F	130.4
	Thru	1.28	204.1	F	232.9	2.29	617.5	F	477.8
	RT	1.28	204.1	F	232.9	2.29	617.5	F	477.8
WB	LT	0.56	62.5	E	46.4	0.82	87.3	F	76.1
	Thru	0.58	67.0	E	72.5	1.31	198.0	F	191.4
	RT	0.58	67.0	E	72.5	1.31	198.0	F	191.4
Intersection Summary		Max 1.28	Average 59.9	E	-	Max 2.29	Average 163.4	F	-

Marquis Drive and Highway 16

Movement		Weekday AM Peak Hour				Weekday PM Peak Hour			
		v/c ratio	Delay (s)	LOS	Queue (m)	v/c ratio	Delay (s)	LOS	Queue (m)
SB	LT	0.62	51.6	D	57.1	0.47	48.7	D	37.2
	Thru	0.53	36.0	C	73.0	0.33	28.4	C	58.9
	RT	0.53	36.0	C	73.0	0.33	28.4	C	58.9
NB	LT	0.36	42.5	D	37.1	0.17	41.2	D	17.1
	Thru	0.28	32.8	C	39.5	0.51	33.7	C	69.1
EB	LT/Thru/RT	0.56	46.4	D	51.0	0.58	40.3	D	48.1
WB	LT	0.17	43.1	D	17.8	0.30	43.0	D	28.3
	Thru	0.44	48.8	D	40.1	0.46	46.4	D	41.0
	RT	0.26	1.7	A	0	0.54	11.5	B	21.0
Intersection Summary		Max 0.62	Average 37.4	D	-	Max 0.58	Average 32.3	C	-

51st Street and Warman Road

Movement		Weekday AM Peak Hour				Weekday PM Peak Hour			
		v/c ratio	Delay (s)	LOS	Queue (m)	v/c ratio	Delay (s)	LOS	Queue (m)
SB	LT	0.36	60.2	E	29.1	0.68	49.0	D	51.3
	Thru	0.82	54.8	D	114.6	0.75	57.1	E	118.0
	RT	0.65	21.2	C	63.9	0.41	7.8	A	22.1
NB	LT	0.75	53.0	D	87.7	0.71	64.4	E	78.4
	Thru	0.39	29.0	C	67.9	0.81	52.1	D	153.5
	RT	0.19	1.9	A	5.9	0.68	23.5	C	91.5
EB	LT	0.46	32.2	C	41.9	0.71	17.0	B	42.4
	Thru	0.36	30.8	C	34.8	0.60	26.8	C	105.0
	RT	0.36	30.8	C	34.8	1.11	69.0	E	201.1
WB	LT	0.64	34.1	C	73.7	0.62	36.1	D	48.7
	Thru	0.51	38.3	D	79.5	0.33	40.9	D	66.3
	RT	0.51	38.3	D	79.5	0.24	2.3	A	5.0
Intersection Summary		Max 0.82	Average 38.3	D	-	Max 1.11	Average 44.0	D	-

51st Street and Millar Avenue

Movement		Weekday AM Peak Hour				Weekday PM Peak Hour			
		v/c ratio	Delay (s)	LOS	Queue (m)	v/c ratio	Delay (s)	LOS	Queue (m)
SB	LT	0.78	52.7	D	86.2	1.83	412.9	F	279.5
	Thru								
	RT								
NB	LT	0.84	60.4	E	95.2	2.05	326.3	F	184.8
	Thru								
	RT								
EB	LT	0.84	64.4	E	78.2	0.62	36.3	D	44.4
	Thru	0.35	32.6	C	50.4	0.93	57.5	E	193.5
	RT	0.35	32.6	C	50.4	0.93	57.5	E	193.5
WB	LT	0.53	15.0	B	36.8	0.62	46.8	D	48.4
	Thru	0.81	27.1	C	135.5	0.54	54.3	D	114.3
	RT	0.81	27.1	C	135.5	0.54	54.3	D	114.3
Intersection Summary		Max 0.84	Average 38.7	D	-	Max 1.83	Average 177.5	F	-

Circle Drive and Idylwyld Drive

Movement		Weekday AM Peak Hour				Weekday PM Peak Hour			
		v/c ratio	Delay (s)	LOS	Queue (m)	v/c ratio	Delay (s)	LOS	Queue (m)
SB	LT	0.65	65.1	E	64.4	0.63	60.7	E	73.8
	RT	0.24	1.7	A	0	0.53	20.8	C	36.5
NB	LT	0.72	86.1	F	52.2	0.72	76.4	E	75.6
	RT	0.62	34.4	C	36.7	0.67	41.8	D	56.4
EB	LT	0.60	59.9	E	78.5	0.53	62.7	E	74.6
	Thru	0.58	4.5	A	52.6	0.68	18.0	B	42.5
	RT	0.71	10.5	B	45.6	0.68	18.0	B	42.5
WB	LT	0.63	66.2	E	52.3	0.70	49.9	E	48.8
	Thru	0.61	27.1	C	60.0	1.05	71.1	F	177.0
	RT	0.61	27.1	C	60.0	1.05	71.1	F	177.0
Intersection Summary		Max 0.72	Average 20.7	C	-	Max 1.05	Average 55.0	E	-

Attridge Drive and Central Avenue

Movement		Weekday AM Peak Hour				Weekday PM Peak Hour			
		v/c ratio	Delay (s)	LOS	Queue (m)	v/c ratio	Delay (s)	LOS	Queue (m)
SB	LT	0.10	62.2	E	12.4	0.42	88.5	F	68.3
	Thru	0.43	67.6	E	32.2	0.53	87.2	F	77.8
	RT	0.71	2.8	A	0	0.85	25.0	C	73.7
NB	LT	0.83	80.0	E	121.2	0.75	100.9	F	143.4
	Thru	0.80	66.7	E	97.1	0.74	87.4	E	124.4
	RT	0.80	66.7	E	97.1	0.74	87.4	D	124.4
EB	LT	0.68	74.9	E	37.0	0.81	80.2	F	193.1
	Thru	0.36	23.9	C	84.4	0.99	72.9	E	578.4
	RT	0.19	3.6	A	13.1	0.92	54.2	D	457.8
WB	LT	0.20	54.3	D	7.7	0.32	82.1	F	58.5
	Thru	0.88	33.0	C	290.4	0.79	65.4	E	325.3
	RT	0.05	0.1	A	0	0.08	5.0	A	5.8
Intersection Summary		Max 0.88	Average 33.0	C	-	Max 0.99	Average 68.2	E	-

Attridge Drive and Berini Drive

Movement		Weekday AM Peak Hour				Weekday PM Peak Hour			
		v/c ratio	Delay (s)	LOS	Queue (m)	v/c ratio	Delay (s)	LOS	Queue (m)
SB	LT	0.43	45.6	D	20.8	0.28	52.3	D	16.6
	Thru	0.59	18.7	B	23.1	0.46	22.1	C	17.4
	RT	0.59	18.7	B	23.1	0.46	22.1	C	17.4
NB	LT	0.83	51.1	D	53.3	0.51	42.0	D	41.0
	Thru	0.25	24.3	C	25.7	0.05	33.0	C	7.9
	RT	0.16	4.4	A	25.7	0.28	7.8	A	14.2
EB	LT	0.56	21.6	C	29.7	0.36	9.6	A	16.8
	Thru	0.50	19.7	B	72.7	0.85	27.8	C	207.8
	RT	0.50	19.7	B	72.7	0.85	27.8	C	207.8
WB	LT	0.22	10.4	B	12.5	0.48	34.4	C	18.9
	Thru	0.83	26.8	C	150.6	0.51	9.1	A	75.2
	RT	0.20	3.3	A	6.1	0.51	0.2	A	0.2
Intersection Summary		Max 0.83	Average 24.0	C	-	Max 0.85	Average 21.4	C	-

McOrmond Drive and Kerr Road/Stensrud Road

Movement		Weekday AM Peak Hour				Weekday PM Peak Hour			
		v/c ratio	Delay (s)	LOS	Queue (m)	v/c ratio	Delay (s)	LOS	Queue (m)
SB (McOrmond Dr)	LT	0.12	12.2	B	10.2	0.46	16.8	B	25.4
	Thru	0.59	26.5	C	76.1	0.61	34.1	C	104.4
	RT	0.08	0.2	A	0	0.25	7.4	A	16.9
NB (McOrmond Dr)	LT	0.36	14.6	B	20.8	0.74	22.2	C	106.1
	Thru	0.38	21.6	C	51.1	0.58	19.7	B	119.4
	RT	0.18	4.6	A	10.7	0.48	5.1	A	33.8
EB (Kerr Rd)	LT	0.19	19.4	B	21.9	0.27	34.1	C	28.6
	Thru	0.05	17.5	B	9.8	0.16	31.6	C	23.4
	RT	0.53	4.3	A	18.4	0.47	6.7	A	19.1
WB (Stensrud Rd)	LT	0.75	34.2	C	94.2	0.72	48.8	D	72.4
	Thru	0.06	17.6	B	10.9	0.14	31.4	C	21.5
	RT	0.27	4.0	A	12.5	0.23	5.9	A	10.4
Intersection Summary		Max 0.75	Average 18.7	B	-	Max 0.74	Average 21.4	C	-

Appendix 2: Intersection Analysis – Unsignalized Intersections

McOrmond Drive and Stensrud Road (north intersection)

Movement		Weekday AM Peak Hour				Weekday PM Peak Hour			
		v/c ratio	Delay (s)	LOS	Queue (m)	v/c ratio	Delay (s)	LOS	Queue (m)
SB	LT	0.02	8.3	A	0.6	0.09	9.8	A	2.2
	Thru	0.17	0	A	0	0.24	0	A	0
NB	Thru	0.12	0	A	0	0.24	0	A	0
	RT	0.02	0	A	0	0.08	0	A	0
WB	LT	0.42	23.8	C	15.3	0.52	59.9	F	18.7
	RT	0.09	10.0	A	2.3	0.11	11.7	B	2.8
Intersection Summary		Max 0.42	Average 3.3	A	-	Max 0.52	Average 2.8	A	-

Central Avenue and Reid Road/Rossmo Road

Movement		Weekday AM Peak Hour				Weekday PM Peak Hour			
		v/c ratio	Delay (s)	LOS	Queue (m)	v/c ratio	Delay (s)	LOS	Queue (m)
SB	LT/Thru	0.03	1.1	A	0.7	0.18	4.2	A	4.9
	RT	0.03	0	A	0	0.07	0	A	0
NB	LT/Thru/RT	0.01	0.2	A	0.2	0.05	1.2	A	1.1
EB	LT/Thru/RT	0.52	44.8	E	20.1	1.17	251.6	F	50.4
WB	LT/Thru/RT	0.28	16.3	C	8.6	0.36	33.0	D	50.4
Intersection Summary		Max 0.52	Average 5.5	A	-	Max 1.17	Average 16.5	C	-

Lowe Road and Nelson Road

Movement		Weekday AM Peak Hour				Weekday PM Peak Hour			
		v/c ratio	Delay (s)	LOS	Queue (m)	v/c ratio	Delay (s)	LOS	Queue (m)
SB	LT/Thru/RT	NA	24.7	C	NA	NA	15.7	C	NA
NB	LT/Thru/RT	NA	14.2	B	NA	NA	26.1	D	NA
EB	LT/Thru/RT	NA	14.7	B	NA	NA	12.7	B	NA
WB	LT/Thru/RT	NA	16.9	C	NA	NA	19.3	C	NA
Intersection Summary		0.61	18.9	C	NA	0.63	20.4	C	NA

Lowe Road and Ludlow Street

Movement		Weekday AM Peak Hour				Weekday PM Peak Hour			
		v/c ratio	Delay (s)	LOS	Queue (m)	v/c ratio	Delay (s)	LOS	Queue (m)
SB	All movements	0.02	0.6	A	0	0.04	1.3	A	1
NB	LT / Thru	0.16	5.0	A	4	0.01	0.3	A	0
	RT	0.07	0	A	0	0.09	0	A	0
EB	All movements	0.11	13.4	B	3	0.07	12.9	B	2
WB	All movements	0.34	36.8	E	10	0.71	45.6	E	37
Intersection Summary		0.60	4.8	B	NA	0.62	8.7	B	NA

Kerr Road and Kenderdine Road

Movement		Weekday AM Peak Hour				Weekday PM Peak Hour			
		v/c ratio	Delay (s)	LOS	Queue (m)	v/c ratio	Delay (s)	LOS	Queue (m)
SEB (Kenderdine Rd)	LT/Thru/RT	0.10	9.0	A	-	0.34	13.5	B	-
NWB (Kenderdine Rd)	LT/Thru/RT	0.44	10.8	B	-	0.42	13.8	B	-
NEB (Kerr Rd)	LT	0.18	8.8	A	-	0.21	10.7	B	-
	Thru/RT	0.18	8.7	A	-	0.20	10.4	B	-
SWB (Kerr Rd)	LT/Thru	0.17	9.2	A	-	1.02	68.3	F	-
	RT	0.02	7.1	A	-	0.10	8.1	A	-
Intersection Summary		Max 0.44	Average 9.8	A	-	Max 1.02	Average 37.1	E	-

Appendix 3: Traffic Signal Warrants

McOrmond Drive and Stensrud Road (north intersection)

Main Street (name)	McOrmond Dr	Direction (EW or NS)	NS	Road Authority:	City of Saskatoon
Side Street (name)	Stensrud (north)	Direction (EW or NS)	EW	City:	Saskatoon
Quadrant / Int #		Comments		Analysis Date:	2019 Sep 11, Wed
for Warrant Calculation Results, please hit 'Page Down'	CHECK SHEET			Count Date:	2019 Apr 18, Thu
				Date Entry Format:	(yyyy-mm-dd)

Lane Configuration		Excl LT	Th & LT	Through	Th+RT+LT	Th & RT	Excl RT	Upstream Signal (m)	# of Tmo Lanes
McOrmond Dr	NB			2		1			3
McOrmond Dr	SB	1		2					2
Stensrud (north)	WB	1					1		
Stensrud (north)	EB								

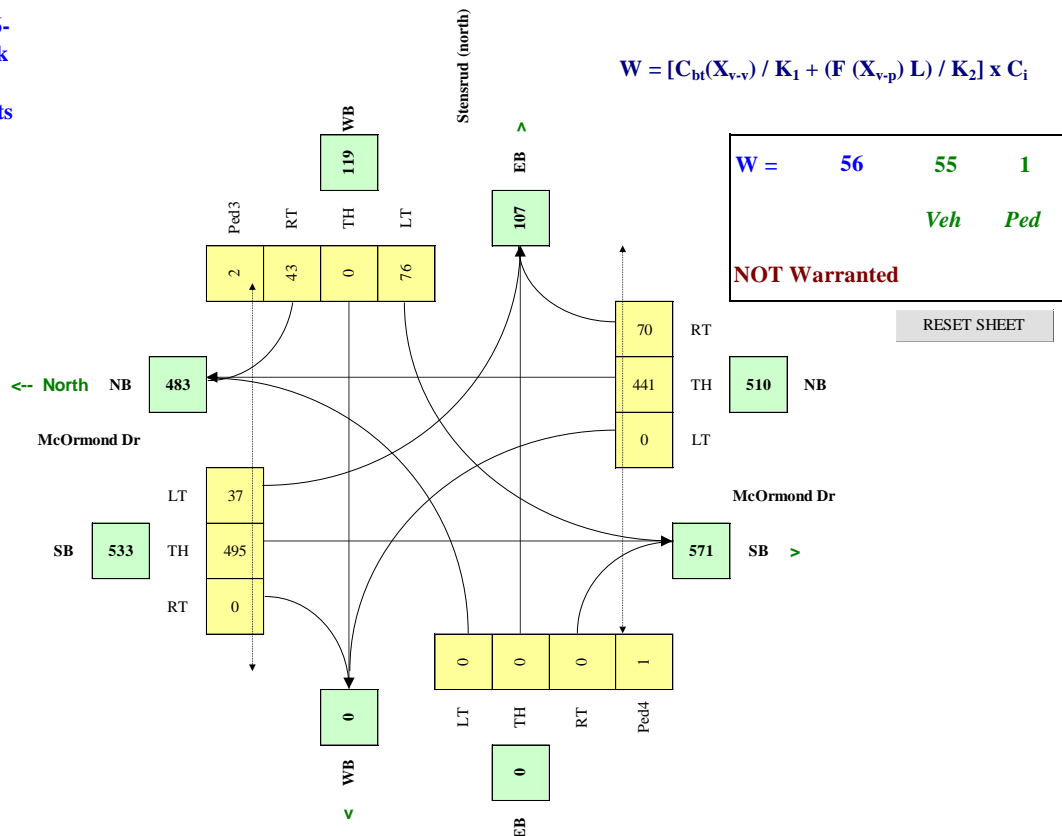
Demographics		
Elem. School/Mobility Challenged	(y/n)	n
Senior's Complex	(y/n)	n
Pathway to School	(y/n)	n
Metro Area Population	(#)	250,000
Central Business District	(y/n)	n

Other input		Speed (Kmh)	Truck %	Bus Rt (y/n)	Median (m)
McOrmond Dr	NS	50	2.0%	y	5.0
Stensrud (north)	EW	50	2.0%	y	

Set Peak Hours												Ped1 NS	Ped2 NS	Ped3 EW	Ped4 EW
Traffic Input		NB		SB		WB		EB				W Side	E Side	N Side	S Side
		LT	Th	RT	LT	Th	RT	LT	Th	RT	LT	Th	RT	LT	Th
7:00 - 8:00			361	16	16	475		97		73				4	1
8:00 - 9:00			346	52	33	519		118		38				3	1
11:30 - 12:30			313	64	22	359		50		27				1	
12:30 - 13:30			311	52	20	345		62		22				4	
4:00 - 5:00			601	125	64	645		67		61					
5:00 - 6:00			711	109	69	628		61		35					2
Total (6-hour peak)	0	2,643	418	224	2,971	0	455	0	256	0	0	0	0	12	4
Average (6-hour peak)	0	441	70	37	495	0	76	0	43	0	0	0	0	2	1

Average 6-hour Peak
Turning
Movements

$$W = [C_{bt}(X_{v-v}) / K_1 + (F(X_{v-p}) L) / K_2] \times C_i$$



Chief Mistawasis Bridge Traffic AssessmentAppend 1 - Chief Mistawasis Bridge Traffic Assessment.docx

Central Avenue and Reid Road/Rossmo Road

Main Street (name)	Central Ave	Direction (EW or NS)	NS
Side Street (name)	Reid Rd/Rossmo Rd	Direction (EW or NS)	EW
Quadrant / Int #		Comments	
for Warrant Calculation Results, please hit 'Page Down'			
CHECK SHEET			

Road Authority:	City of Saskatoon
City:	Saskatoon
Analysis Date:	2019 Sep 11, Wed
Count Date:	2019 Apr 30, Tue
Date Entry Format:	(yyyy-mm-dd)

Lane Configuration		Excl LT	Th & LT	Through	Th+RT-LT	Th & RT	Excl RT	UpStream Signal (m)	# of Thru Lanes
Central Ave NB			1			1			2
Central Ave SB			1				1		1
Reid Rd/Rossmo Rd WB					1				
Reid Rd/Rossmo Rd EB					1				

Are the Reid Rd/Rossmo Rd WB right turns significantly impeded by through movements? (y/n) n

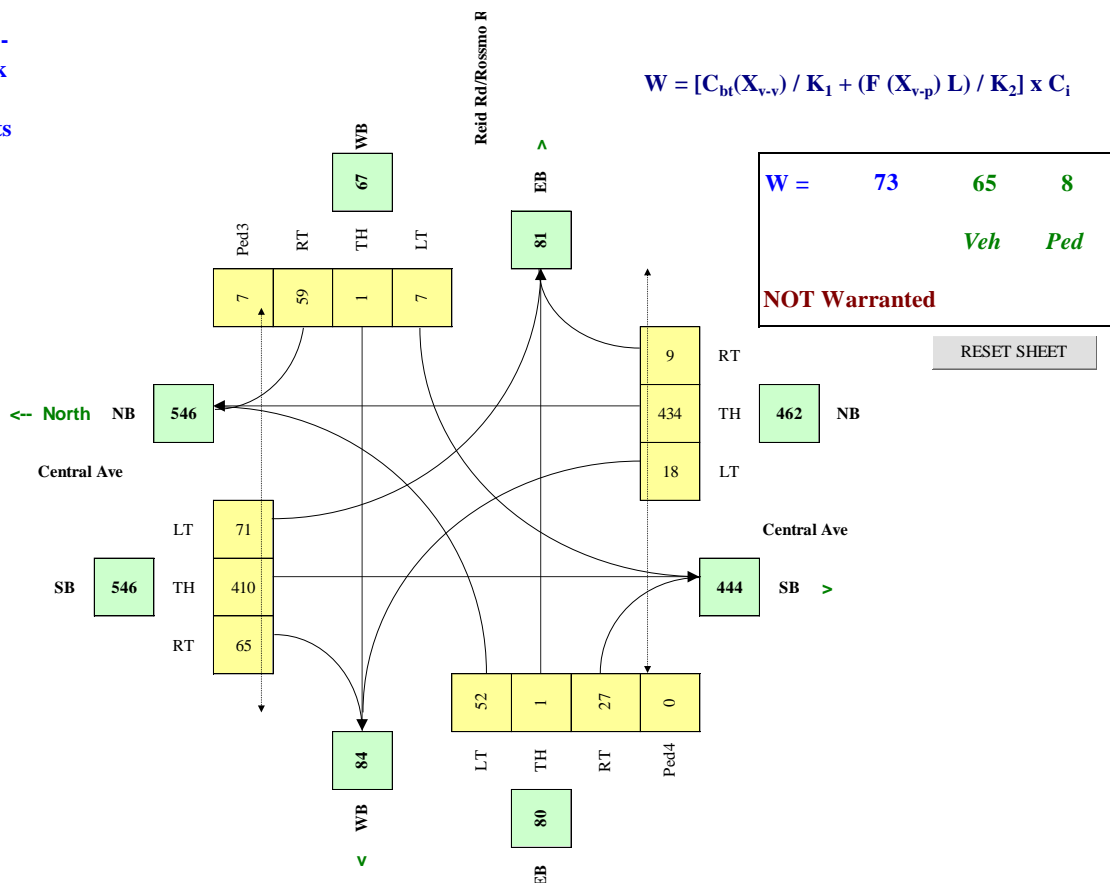
Are the Reid Rd/Rossmo Rd EB right turns significantly impeded by through movements? (y/n) n

Other input		Speed (Kmh)	Truck %	Bus Rt (y/n)	Median (m)
Central Ave	NS	50	2.0%	y	
Reid Rd/Rossmo Rd	EW	50	2.0%	y	

Set Peak Hours													Ped1	Ped2	Ped3	Ped4
Traffic Input													NS	NS	EW	EW
NB				SB			WB			EB			W Side	E Side	N Side	S Side
LT	Th	RT		LT	Th	RT	LT	Th	RT	LT	Th	RT				
7:00 - 8:00	6	465	3	8	178	15	4	0	90	74	0	26	8	3	6	2
8:00 - 9:00	13	528	5	28	266	48	6	0	96	56	2	28	3	3	12	
11:30 - 12:30	15	402	9	44	366	59	9	1	27	48	1	17	1	4	6	
12:30 - 13:30	17	360	10	45	372	40	7	2	50	46	1	16	4	0	3	
4:00 - 5:00	29	387	12	136	628	121	7	0	36	43	1	32	1	5	7	
5:00 - 6:00	28	464	16	165	647	107	10	2	57	46	0	44	2	2	6	
Total (6-hour peak)	108	2,606	55	426	2,457	390	43	5	356	313	5	163	19	17	40	2
Average (6-hour peak)	18	434	9	71	410	65	7	1	59	52	1	27	3	3	7	0

Average 6-hour Peak Turning Movements

$$W = [C_{bt}(X_{v,v}) / K_1 + (F(X_{v,p}) L) / K_2] \times C_i$$



Chief Mistawasis Bridge Traffic AssessmentAppend 1 - Chief Mistawasis Bridge Traffic Assessment.docx

Lowe Road and Ludlow Street

Main Street (name)	Low Rd	Direction (EW or NS)	NS
Side Street (name)	Ludlow St	Direction (EW or NS)	EW
Quadrant / Int #		Comments	
for Warrant Calculation Results, please hit 'Page Down'			
CHECK SHEET			

Road Authority:	City of Saskatoon
City:	Saskatoon
Analysis Date:	2019 Sep 11, Wed
Count Date:	2019 Apr 17, Wed
Date Entry Format:	(yyyy-mm-dd)

Lane Configuration		Excl LT	Th & LT	Through	Th+RT-LT	Th & RT	Excl RT	UpStream Signal (m)	# of Thru Lanes
Low Rd	NB		1				1		1
Low Rd	SB				1				1
Ludlow St	WB				1				
Ludlow St	EB				1				

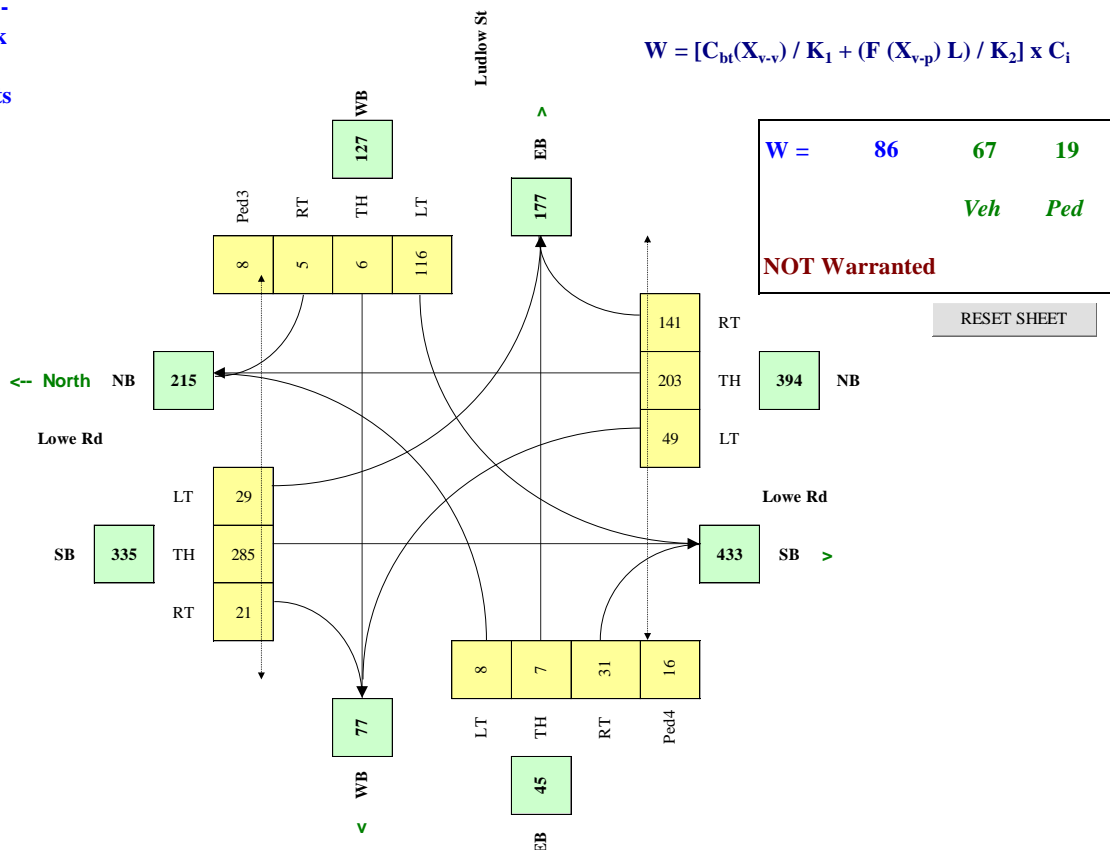
Are the Ludlow St WB right turns significantly impeded by through movements? (y/n) n
Are the Ludlow St EB right turns significantly impeded by through movements? (y/n) y

Other input		Speed (Kmh)	Truck %	Bus Rt (y/n)	Median (m)
Low Rd	NS	50	2.0%	y	0.0
Ludlow St	EW	50	2.0%	n	

Set Peak Hours													Ped1	Ped2	Ped3	Ped4
Traffic Input													NS	NS	EW	EW
NB				SB			WB			EB			W Side	E Side	N Side	S Side
LT	Th	RT		LT	Th	RT	LT	Th	RT	LT	Th	RT				
7:00 - 8:00	11	74	84	16	301	2	48	1	0	0	0	4	4	2	1	2
8:00 - 9:00	165	185	107	19	325	56	47	4	3	2	5	43	4	2	1	6
11:30 - 12:30	17	171	156	32	252	4	143	10	8	16	6	61	15	3	11	15
12:30 - 13:30	70	173	195	42	289	47	148	18	7	13	18	37	26	10	25	67
4:00 - 5:00	11	285	170	28	263	2	180	1	4	8	5	22	21	6	6	3
5:00 - 6:00	21	331	135	39	280	15	132	4	5	6	5	20	1	8	1	2
Total (6-hour peak)	295	1,219	847	176	1,710	126	698	38	27	45	39	187	71	31	45	95
Average (6-hour peak)	49	203	141	29	285	21	116	6	5	8	7	31	12	5	8	16

Average 6-hour Peak Turning Movements

$$W = [C_{bt}(X_{v,v}) / K_1 + (F(X_{v,p}) L) / K_2] \times C_i$$



Chief Mistawasis Bridge Traffic AssessmentAppend 1 - Chief Mistawasis Bridge Traffic Assessment.docx

Kerr Road and Kenderdine Road

Main Street (name)	Kerr	Direction (EW or NS)	EW
Side Street (name)	Kenderdine	Direction (EW or NS)	NS
Quadrant / Int #		Comments	
for Warrant Calculation Results, please hit 'Page Down'			
CHECK SHEET			

Road Authority:	City of Saskatoon
City:	Saskatoon
Analysis Date:	2019 Sep 11, Wed
Count Date:	2019 Jul 09, Tue
Date Entry Format:	(yyyy-mm-dd)

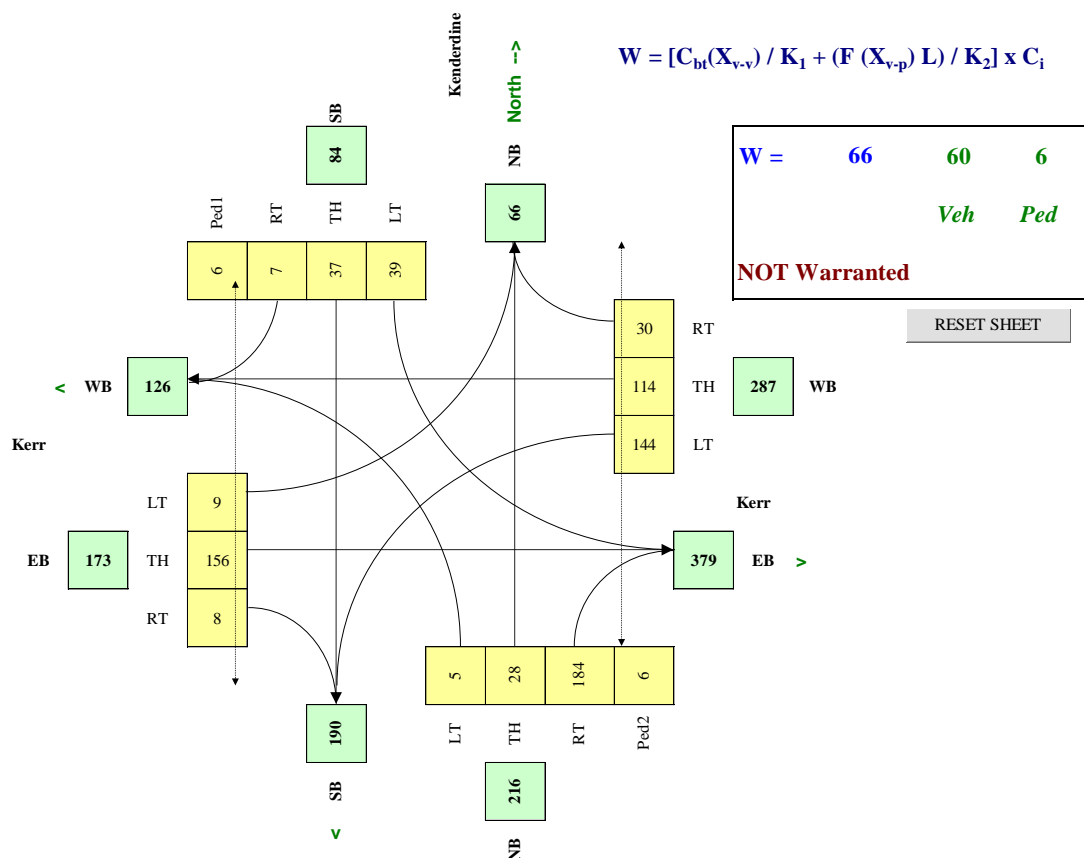
Lane Configuration		Excl LT	Th & LT	Through	Th+RT-LT	Th & RT	Excl RT	UpStream Signal (m)	# of Thru Lanes
Kerr	WB		1				1		1
Kerr	EB		1			1			2
Kenderdine	NB				1				
Kenderdine	SB				1				

Are the Kenderdine NB right turns significantly impeded by through movements? (y/n) y
Are the Kenderdine SB right turns significantly impeded by through movements? (y/n) n

Other input		Speed (Kmh)	Truck %	Bus Rt (y/n)	Median (m)
Kerr	EW	50	2.0%	y	0.0
Kenderdine	NS	50	2.0%	n	

Set Peak Hours													Ped1	Ped2	Ped3	Ped4
Traffic Input													NS	NS	EW	EW
	NB			SB			WB			EB			W Side	E Side	N Side	S Side
	LT	Th	RT	LT	Th	RT	LT	Th	RT	LT	Th	RT				
7:00 - 8:00	5	25	297	40	10	2	38	39	10	4	183	6	9	2	6	3
8:00 - 9:00	5	32	220	28	18	3	69	57	18	9	183	3	8	4	5	
11:30 - 12:30	3	23	114	32	30	10	122	102	30	9	110	8	5	3	7	
12:30 - 13:30	6	8	158	32	26	11	111	98	15	9	165	8	5	5	12	2
4:00 - 5:00	7	32	149	37	67	14	242	196	49	14	150	12	2	6	8	
5:00 - 6:00	3	46	165	65	73	3	283	190	55	9	146	12	9	14	6	
Total (6-hour peak)	29	166	1,103	234	224	43	865	682	177	54	937	49	38	34	44	5
Average (6-hour peak)	5	28	184	39	37	7	144	114	30	9	156	8	6	6	7	1

Average 6-hour Peak Turning Movements



Appendix 4: Circle Drive and Idylwyld Drive Interchange

Background:

In August 2010, the City of Saskatoon retained Hatch Mott MacDonald to review the design of the Idylwyld Drive/Circle Drive interchange in an effort to identify opportunities to improve its operation and function, as well as the operation and function of the Circle Drive North corridor between Millar Avenue and Avenue C.

The Administration brought a report to the Planning and Operations Committee on March 6, 2012 recommending:

1. “That the Idylwyld Drive – Circle Drive Functional Design Study – Final Report be approved in principle; and
2. That the Administration report further with respect to the funding and/or timing of the implementation of the recommendations from the Idylwyld Drive – Circle Drive Functional Design Study – Final Report.”

The Administration proposed the following course of action:

1) That the Administration continue to work with the Province on the development of the Saskatoon Freeway as the preferred commercial vehicle route (to address capacity issues related to truck movements at this interchange).

- The functional planning study is currently underway.

2) That the Administration investigate the potential to improve the Warman Road and 51st Street corridors as a means to relieve the operational problems at the interchange and along the corridor.

- The intersection of Warman Road and 51st Street was improved in 2016.
- The functional planning study for intersection improvements at 51st Street and Millar Avenue will begin stakeholder engagement in 2020.

3) That the Administration create a capital budget submission to undertake short term ramp improvements at the interchange.

- This work was delayed to wait for the opening of the Chief Mistawasis Bridge.

4) That the Administration undertake further investigations into the design of a “Single Point Urban Interchange” at this location.

- This work was delayed to wait for the opening of the Chief Mistawasis Bridge. Table A4-1 illustrates the LOS with existing traffic volumes.

Table A4-1: Circle Drive and Idylwyld Drive – Single Point Urban Interchange

Movement		Weekday AM Peak Hour				Weekday PM Peak Hour			
		v/c ratio	Delay (s)	LOS	Queue (m)	v/c ratio	Delay (s)	LOS	Queue (m)
SB	LT	0.74	48.5	D	40.8	0.86	59.3	E	53.5
	Thru	-	-	-	-	-	-	-	-
	RT	0.06	0	A	0	0.13	0.2	A	0
NB	LT	0.50	43.6	D	36.2	0.77	60.5	E	61.1
	Thru	-	-	-	-	-	-	-	-
	RT	0.10	0	A	0	0.13	0.2	A	0
EB	LT	0.73	49.1	D	55.3	0.73	48.9	D	54.8
	Thru	0.81	21.9	C	159.0	0.78	21.9	C	115.3
	RT	0.16	2.8	A	9.5	0.22	2.7	A	10.6
WB	LT	0.52	45.0	D	33.3	0.65	47.9	D	47.1
	Thru	0.51	18.9	B	63.6	0.81	25.4	C	123.2
	RT	0.47	3.8	A	16.4	0.56	4.2	A	17.8
Intersection Summary		Max 0.78	Average 21.5	C	-	Max 0.81	Average 24.0	C	-

5) That the Administration continue to monitor and assess the effects on traffic patterns arising from the completion of Circle Drive South and alternate routing.

- Circle Drive South and the Gordie Howe Bridge opened in 2011 and a follow-up study was completed in 2012.
- The Chief Mistawasis Bridge opened October 2, 2018.

The Administration does not recommend proceeding to the development of a capital project for the short-term ramp improvements at this time. During Phase 1 of the Saskatoon Freeway Functional Planning Study a significant change to the regional highway network is proposed – relocating Highway 11 from Idylwyld Drive to Wanuskewin Road near the northern city limits. This has the potential to move some commercial truck traffic from the Circle Drive and Idylwyld Drive interchange further east to the Warman Road interchange as well as shift some commuter traffic in a similar manner. The Administration is working with the Ministry and the Ministry's consultant on the functional plan for the Saskatoon Freeway, as planning progresses to a recommendation the Administration will revisit the Single Point Urban Interchange at this location.

From: Margi Corbett [REDACTED]
Sent: Tuesday, November 05, 2019 7:23 PM
To: City Council
Subject: Form submission from: Write a Letter to Council

Submitted on Tuesday, November 5, 2019 - 19:22

Submitted by anonymous user: 174.2.254.99

Submitted values are:

Date Tuesday, November 05, 2019
To His Worship the Mayor and Members of City Council
First Name Margi
Last Name Corbett
Email [REDACTED]
Address [REDACTED] 10th St East
City Saskatoon
Province Saskatchewan
Postal Code [REDACTED]
Name of the organization or agency you are representing (if applicable)
Subject Speed limits on the roadway to the east side of Chief Mistiwasis Bridge
Meeting (if known)
Comments
I do not wish to speak before council, but I hope that my letter will be considered.

As a person who has been closely following the efforts of our Swale Watchers for over four years, I am seriously discouraged by the situation as it stands now, especially since it's a situation that we should not be finding ourselves in.

Back in February of 2015, a recommendation from the municipal heritage advisory committee proposed that the City protect the swale as a natural heritage site.

Then in 2016, I naively believed that, even though the road construction was approved, the City would include wildlife underpasses in its design. When I realized that would not happen, I feared that it would only be a matter of time after the road opened before the speed limits would change. And now here we are.

I have just spent almost an hour reviewing comments on a recent StarPhoenix article regarding the possibility of raising speed limits through the swale. It is extremely frustrating to see how little people know about this ecological jewel and how little they care to understand its value. I sincerely hope their voices do not sway council from doing the right thing this time.

I still believe that City Councillors take their responsibility as leaders seriously, and I sincerely hope that you will speak for ecological responsibility before it really is too late.

Thank you for your consideration.
Attachments

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/348026>

Bryant, Shellie

From: Robert Kavanagh [REDACTED]
Sent: November 14, 2019 4:55 PM
To: City Council
Subject: Form submission from: Write a Letter to Council
Attachments: council_and_swale.pdf

Submitted on Thursday, November 14, 2019 - 16:55

Submitted by anonymous user: 207.47.175.195

Submitted values are:

Date Thursday, November 14, 2019
To His Worship the Mayor and Members of City Council
First Name Robert
Last Name Kavanagh
Email [REDACTED]
Address [REDACTED] MAHABIR CRT
City SASKATOON
Province Saskatchewan
Postal Code [REDACTED]
Name of the organization or agency you are representing (if applicable) none
Subject Northeast Swale
Meeting (if known) unknown
Comments see attached letter
Attachments
[council_and_swale.pdf](#)

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349244>

His Worship the Mayor and Members of City Council,

I lived in Southern California for five years. There are many people there who may never see anything like wilderness, let alone an area of land that is largely in its natural state within their municipal borders. The Northeast Swale can be a jewel in Saskatoon's crown, to be enjoyed by future generations, but only if we preserve and protect it.

There is a need for Council to exercise some leadership with regard the Swale, in two areas. First, rather than decrying the fact that some people complain about having to slow down on parts of the roadways leading to the Chief Mistawasis bridge, we could be celebrating the fact that we have major roadways where speeds of at least 50 Kph can be sustained from end to end, instead of living in Toronto or Los Angeles, where roadways with much higher posted limits turn into parking lots at the times travellers need them the most. Both McOrmond Drive and Central Avenue have sections (2.5 Km and 0.7 KM in length respectively) posted at 50 Kph, bracketed by limits of 60 Kph, and both have a traffic light within the 50 Kph zones. Assuming the traffic lights don't require coming to a complete stop, the difference in travelling times between 50 and 60 Kph are 50 seconds for the slower zones of McOrmond and 8 seconds for Central Avenue. Drivers already accept the need to slow to 30 Kph in School zones, and coming to a complete stop at railroad crossings occupied by trains. It should not be a hardship to also exercise some restraint while crossing through the Swale.

Second, the notion that changing the plan to build yet another major roadway through the Swale would be a 'major mistake' implies that we should ignore information that was not available or considered when the current plan was drawn up decades ago. What really would be a mistake would be to refuse to thoroughly examine the full implications of going ahead with this project as currently envisioned, and identify new options that are more appropriate for the future. Note that a recent CPAWS report¹ concludes that Canada needs to not only protect areas like the Swale, but in fact to TRIPLE the amount of protected land and water. It may well be that changing the route will cost more money; but having leadership that would explain and defend putting funds into environmental sustainability, instead of attacking it, would be something future generations would applaud.

I honour your commitment to being elected members of Council. I know this is not an easy job. In your roles as community leaders, there must be times when you are called upon to tell your constituents something that they need to hear, rather than what they want to hear. Some people want to be told that they can drive as fast as they wish, anytime and anywhere they want. Some see the Northeast Swale as an 'inconvenience', rather than as a remarkable asset to the City. However, what they need to be told is that "there are good reasons for speed limits in the City; there is a need to protect this important piece of land; your Council has considered these needs very carefully and has chosen courses of action and regulations that will make people proud to live in Saskatoon."

I hope you will consider fully the many aspects of preserving and protecting the Swale. It is too great an opportunity to fail to seize.

Robert Kavanagh
[REDACTED] Mahabir Court
Saskatoon, SK
[REDACTED]



Bryant, Shellie

From: Gail Stevens [REDACTED]
Sent: November 14, 2019 5:57 PM
To: City Council
Subject: Form submission from: Write a Letter to Council
Attachments: letter_to_councilor.docx

Submitted on Thursday, November 14, 2019 - 17:57

Submitted by anonymous user: 206.75.53.188

Submitted values are:

Date Thursday, November 14, 2019
To His Worship the Mayor and Members of City Council
First Name Gail
Last Name Stevens
Email [REDACTED]
Address [REDACTED] Silverwood Road
City Saskatoon
Province Saskatchewan
Postal Code [REDACTED]
Name of the organization or agency you are representing (if applicable)
Subject Speed limits on McOrmond Road
Meeting (if known) November 18 Council Meeting
Comments
Good morning,

I sent the attached letter to my councillor, Mr. Donauer, and request that other councillors receive it, as well.

Thank you.
Gail Stevens
Attachments
letter_to_councilor.docx
<https://www.saskatoon.ca/sites/default/files/webform/letter_to_councilor.docx>

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349252>

November 8, 2019

Dear Councillor Donauer,

As one of your constituents, I write to assure you that I am comfortable with the reduced speed on the section of McOrmond Road that crosses the Swale.

I can understand why some constituents might complain about needing to slow down to avoid killing wildlife, and to protect their own safety by avoiding wildlife collisions.

Public policy must be for the common good, with the understanding that good public policy might entail some inconvenience. Sometimes, as individual citizens, we forget that.

I lived away for over ten years and returned here four years ago to my home city, Saskatoon. Over the period of my absence, reduced speed signs were posted in school zones. This was new for me. I found this rather inconvenient. I was not used to slowing down that much. It took me a while to adjust to the change. However, the City had made the right decision to protect life, and I whole-heartedly support that decision.

Similarly, municipalities have a duty to protect vulnerable ecosystems and vulnerable wildlife within the larger natural environment, of which our City is an interconnected part. Federal and provincial law protects endangered species, for example, some of which are residents in the swale.

Some may find that slowing down on part of McOrmond Road is inconvenient. I believe, however, that doing so is a relatively small adjustment for mature adults to make. I trust that they are able to adjust, just as we adjusted to reduce our speed in school zones.

We trust our elected representatives to consider the big picture, and avoid the narrow self-interest that sometimes blind us, as individuals, to the common good. It is in the best interests of our shared ecosystem that we retain the reduced speed requirement when drivers cross the swale.

Hopefully, in the future, the location of public roads and bridges will consider ecosystem impacts more seriously. Since McOrmond Road and Chief Mistawasis Bridge have already been built through the swale, it is reasonable that drivers reduce speed in order to mitigate more harm to wildlife and people. (As one who totaled my car when I hit a deer, I speak from experience!)

Thank you for accepting the challenge of seeing the big picture. As my councillor, I urge you to support decisions which respect the interests of life in the swale, including retention of the slower speed zone.

Sincerely,

Gail Stevens

████████ Silverwood Road

Bryant, Shellie

From: Jan Shadick [REDACTED]
Sent: November 15, 2019 1:28 PM
To: City Council
Subject: Form submission from: Write a Letter to Council

Submitted on Friday, November 15, 2019 - 13:27

Submitted by anonymous user: 216.197.221.42

Submitted values are:

Date Friday, November 15, 2019

To His Worship the Mayor and Members of City Council

First Name Jan

Last Name Shadick

Email [REDACTED]

Address [REDACTED] Temperance St

City Saskatoon

Province Saskatchewan

Postal Code [REDACTED]

Name of the organization or agency you are representing (if applicable) Living Sky Wildlife Rehabilitation

Subject North Commuter Parkway Speed Limits

Meeting (if known)

Comments

1. When the decision was being made about the speed limits for the roads through the Swales, there was an enormous amount of discussion, input and information that went into the selected speed limits. It was not a quick decision by any means.

Given that, why is council now re-thinking what was decided?

The speed limits are there for a reason, and those reasons have not changed in the last year.

One argument for this review is that people are not happy with the speed limits. I would suggest that our "happiness" about the rules is not relevant to the reasons for the rules. If there is a good reason to set the speed as it is, then it should stay that way. Otherwise trying to please everyone will result in chaos. Rational reason should prevail.

2. The bridge was needed, so it was built. There were projections about the number of cars using the bridge (we can expect these numbers to have been somewhat inflated to improve the argument for building it), but at no time was the "success" of the bridge to be determined by the actual number of cars using the span. If you raise the speeds limits, and use of the bridge does NOT increase, will you lower them again? (for the sake of the wildlife)

3. The number of wildlife collisions is 0 in the section that is set at 50km/hour. Does that demonstrate success in reducing in wildlife collisions? If so, why change it?

The number of reported wildlife collisions is not to be considered an accurate reflection of wildlife injuries and mortalities as small animals will have been removed by predators or eaten before being discovered by clean-up crews. Injured animals will have disappeared into the bush and not been counted, as their bodies are not visible

artifacts of the collision on the road.

4. One comment was that no one lives there.... Actually, thousands of beings live there, and have a right to live there as they are contributing to our eco-system and our very survival on the planet. Wild Lives Matter, too.

Respectfully submitted,

Jan Shadick
Attachments

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349324>



STANDING POLICY COMMITTEE ON TRANSPORTATION

Overnight Parking Restrictions in Business Improvement Districts

Recommendation of the Committee

That the report of the General Manager, Transportation & Construction dated November 4, 2019 be received as information.

History

At the November 4, 2019 Standing Policy Committee on Transportation meeting, a report of the General Manager, Transportation and Construction dated November 4, 2019 was considered.

Your Committee also received a presentation from Brent Penner, Executive Director, Downtown Saskatoon, as well as a letter submitting comments from Randy Pshebylo, Executive Director, Riversdale Business Improvement District.

Attachment

1. November 4, 2019 report of the General Manager, Transportation and Construction
2. November 4, 2019 email from Randy Pshebylo, Executive Director, Riversdale Business Improvement District

Admin Report - Overnight Parking Restrictions in BIDs.docx

ISSUE

Overnight parking restrictions posted in Riversdale, Downtown and 33rd Street Business Improvement Districts have not been applicable, or enforced for street sweeping and snow clearing for a number of years.

BACKGROUND

City Council at its Regular Business Meeting held on August 13, 2018, considered the Update to Bylaw No. 8463, The Sidewalk Clearing Bylaw, 2005 which revised the requirement for owners or occupants to clear the sidewalk in front of their properties within 24 hours of a snowfall, and resolved, in part:

- “3. That the Administration report back to the Standing Policy Committee on Transportation on the potential of parking enforcement in the Business Improvement Districts”

Parking restrictions are currently in place for certain streets within the Riversdale, Downtown, and 33rd Street Business Improvement Districts (BIDs). These restrictions prohibit vehicles from parking between 2:00 a.m. and 6:00 a.m. three nights per week. Parking restrictions are for different nights on the streets than the avenues in the Riversdale and Downtown BIDs.

The restrictions were put in place a number of years ago in order to carry out road maintenance such as street sweeping and snow clearing during the restricted time. Some of the parking restriction signage is currently in poor condition due to its age.

CURRENT STATUS

The parking restrictions have not been used for road maintenance, or enforced by ticketing or towing for a number of years.

Street sweeping and snow removal are no longer scheduled only on the specific nights or times when the restrictions are in place. Street sweeping and snow clearing is undertaken as soon as resources allow rather than waiting until the parking restrictions are in place. To increase efficiency, the crews do street sweeping and snow removal on the streets and avenues on the same night, rather than on different nights.

Street sweeping and snow removal are completed at night when there is only a few parked vehicles. Crews work around the parked vehicles. Any areas not accessible due to parked vehicles are completed during the next monthly sweep or the next time it snows.

Concerns have been raised regarding the inconvenience the restrictions cause as they are in place several times a week, while street sweeping only occurs once a month and snow clearing following a snowfall.

DISCUSSION/ANALYSIS

The main advantage of scheduling snow clearing and street sweeping only during the periods of parking restrictions and enforcing the parking restrictions is there would be no parked cars preventing a full curb-to-curb street sweep or snow clearing.

Disadvantages of scheduling snow clearing and street sweeping only during the periods of the parking restriction would:

- delay completion of the work
- require additional funding; and
- cause parking inconvenience for residents.

Delays to the completion of the work would occur as crews may be ready to undertake the work, but the parking restrictions are not in place until the next day or later in the week.

Additional funding would be required for multiple crew visits, and for ticketing and towing services for vehicles that did not follow the parking restrictions. Multiple crew visits would be needed to complete the work as the parking restrictions on the avenues and the streets are on different nights.

Parking inconvenience for residents and customers in the BIDs is expected to increase as vehicles would be towed due to enforcement of the parking restrictions. After a number of years of not enforcing parking restrictions at these locations, people are complacent and ignore the signs. Significant communication efforts would be required to increase public awareness if enforcement were to begin.

Scheduling snow clearing and street sweeping only during the periods of parking restriction cannot be undertaken without a change to the level of service for both street sweeping and snow clearing. This change would include delaying provision of services to deliver a curb-to-curb sweep or snow clearing at a higher cost.

Consultations

Removal of the parking restrictions was discussed with the Riversdale, Downtown, and 33rd Street BIDs with the following responses being provided:

- Downtown BID would like to see the parking restrictions removed as they have not been used and some of the signs are in poor condition.
- 33rd Street BID noted that the signs can be confusing for residents and did not have concerns with their removal since they are not being used.
- Riversdale BID would like the parking restrictions to remain. They would like to see snow clearing and street sweeping performed only during the restricted time so maintenance is completed curb to curb

Consultation with the general public did not take place.

IMPLICATIONS

The estimated cost to remove the signs for the parking restrictions is approximately \$10,000. Existing budgets will cover the cost and no incremental funding is required.

There are no legal, social or environmental implications identified.

NEXT STEPS

Removal of the overnight parking restriction signage in the three BIDs will be completed in the winter of 2019/2020.

If the number of vehicles parked overnight in the Riversdale BID increases and is creating more problems for undertaking snow clearing and street sweeping, other ways of addressing the parked vehicles and how the work is being completed will be considered.

An increased level of service for street sweeping will be considered as part of the 2020/2021 Business Plan and Budget options to address concerns with missed locations due to parked vehicles. The increased level of service includes the addition of a small sweeper to maintain any spots not completed due to parked vehicles. Overnight parking restrictions would not be used with this increased level of service.

APPENDICES

1. Photo - Overnight Parking Restrictions in Business Improvement Districts

Report Approval

Written by: Tracy Danielson, Roadways Manager

Reviewed by: Jo-Anne Richter, Director of Community Standards
Goran Saric, Director of Roadways Fleet & Support
Jay Magus, Director of Transportation

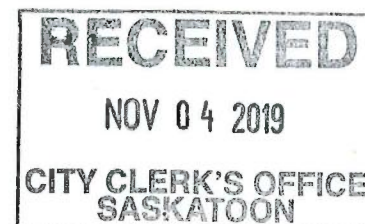
Approved by: Lynne Lacroix, General Manager, Community Services Department
Terry Schmidt, General Manager, Transportation & Construction Department

Overnight Parking Restrictions in Business Improvement Districts



From: Randy <randy@riversdale.ca>
Sent: Monday, November 04, 2019 7:59 AM
To: Web E-mail - City Clerks
Cc: 'Randy'; 'Riversdale Communications'
Subject: STANDING POLICY COMMITTEE ON TRANSPORTATION NOVEMBER 4, 2019
Attachments: IMG_8289.JPG; IMG_0940.JPG; image3.jpeg

STANDING POLICY COMMITTEE ON TRANSPORTATION
MONDAY, NOVEMBER 4, 2019 AT 2:00 PM
7.1.9 OVERNIGHT PARKING RESTRICTIONS IN BUSINESS IMPROVEMENT DISTRICTS
(FILES CK 6120-1, X1680-1)



GOOD MORNING COUNCILLORS:

PLEASE ACCEPT MY REGRETS FOR NOT BEING ABLE TO PRESENT IN PERSON, HOWEVER THE RBID WOULD WELCOME A RESPONSE TO THE QUESTIONS BELOW AT THE NEXT COUNCIL MEETING IN NOVEMBER TO SHARE WITH THE WIDER COMMUNITY SOME UNANSWERED QUESTIONS ARISING FROM THE REPORT.

ISSUE

Overnight parking restrictions posted in Riversdale, Downtown and 33rd Street Business Improvement Districts have not been applicable, or enforced for street sweeping and snow clearing for a number of years.

THE QUESTION REMAINS UNANSWERED: PARKING ENFORCEMENT IS ENFORCING METERED PARKING, PARKING IN FRONT OF A FIRE HYDRANT, TOO CLOSE TO CURBS AND MANY OTHERS. COULD WE PLEASE HAVE A RESPONSE AS TO WHY THIS PARTICULAR HAVE NOT BEEN ENFORCED FOR YEARS.

Some of the parking restriction signage is currently in poor condition due to its age.

GIVEN THE RECOMMENDATION THAT \$10,000 CAN BE FOUND WITHIN EXISTING BUDGETS TO REMOVE THE SIGNS; WE HAVE IDENTIFIED AND REQUESTED FADED AND DAMAGED SIGNS BE REPLACED WITH OUR ANNUAL MAINTENANCE WALK WITH URBAN DESIGN; THE SIGNS HAVE NOT BEEN REPLACED OR CHANGED. COULD WE PLEASE HAVE A RESPONSE WHY FUNDS ARE AVAILABLE TO REMOVE SIGNS AND NOT REPLACE SIGNS WHEN THE REPORT CONFIRMS THE SIGNAGE IS CURRENTLY IN POOR CONDITION.

CURRENT STATUS

The parking restrictions have not been used for road maintenance, or enforced by ticketing or towing for a number of years.

WHY IS THIS NOT BEING ENFORCED LIKE OTHER PARKING INFRACTIONS ARE?

Street sweeping and snow removal are no longer scheduled only on the specific nights or times when the restrictions are in place. Street sweeping and snow clearing is undertaken as soon as resources allow rather than waiting until the parking restrictions are in place.

BUSINESS OWNERS AND RBID STREET AMBASSADORS RELY ON PREDICTABLE SCHEDULES AND WILL WASH AND SWEEP DEBRIS FROM SIDEWALKS INTO THE STREET IN ADVANCE OF SCHEDULED CLEANING. SHORT NOTICE BY THE CITY ADVISING THAT SWEEPING OR SNOW REMOVAL WILL OCCUR TONIGHT OR TOMORROW NIGHT IS HIGHLY DISRUPTIVE TO THE SCHEDULING IN ORDER TO COMPLY AND BE LEFT WITH A CLEAN PUBLIC SPACE.

SCHEDULING STAFF TO TEND TO PUBLIC AREAS IN ADVANCE OF POSTED TIMES IS CURRENTLY WORKING. POSTING ON FACEBOOK OR SENDING EMAILS THAT CREWS ARE COMING TOMORROW NIGHT IS NOT ENOUGH NOTICE.

To increase efficiency, the crews do street sweeping and snow removal on the streets and avenues on the same night, rather than on different nights.

THE REASON THE STREETS AND AVENUES HAVE ALTERNATING DAYS IS THAT BUSINESS CUSTOMERS AND RESIDENTS HAVE THE CONVENIENCE OF LEAVING VEHICLES PARKED OVERNIGHT ON ONE STREET OR ONE AVENUE TO ALLOW EFFICIENCY WITH ROADWORK AND NOT HAVE MISSED AREAS TO GO AROUND PARKED CARS. THIS IS A REASONABLE SOLUTION FOR BOTH THE CITY CREWS AND BUSINESS AND RESIDENTS TO HAVE OPTIONS AND AVOID PARKING INFRACTIONS.

Street sweeping and snow removal are completed at night when there is only a few parked vehicles. Crews work around the parked vehicles.

COULD WE HAVE A RESPONSE AS TO HOW WE ADDRESS THE FILTHY STREET CONDITIONS THAT EXIST BY PASSING PARKED CARS WHEN THE DEBRIS WE NEED REMOVED IS UNDER THE PARKED CARS AND AGAINST THE CURBSIDE. OUR NIGHTTIME ECONOMY IS EXPECTED TO GROW AND ATTRACT MORE PEOPLE DRIVING TO OUR DESTINATION BASED BUSINESSES.

SEPTEMBER 4, 2019 AT 9:04PM STREET SWEEPERS WERE GOING PAST BLOCKS OF CARS DUE TO SEVERAL EVENTS LAUNCHING OR UNDERWAY THAT EVENING. (300 BLOCK AVENUE B SOUTH AT THE TIME).

THIS IS CLEARLY A FAILURE TO DELIVER TO THE DISTRICT THE RESULT OF WHAT IS BADLY NEEDED: CLEAN STREETS.

Any areas not accessible due to parked vehicles are completed during the next monthly sweep or the next time it snows.

WE HAVE BEEN ADVISED THE COST IS THE FACTOR FOR DELIVERING THE 'ONCE PER WEEK SWEEP' WE ORIGINALLY WERE RECEIVING. GIVEN THIS REASONING FOR DECREASING THE LEVEL OF SERVICE WE NEED IN OUR DISTRICT, COULD WE SEE THE CALCULATIONS OF HOW SAVINGS ARE REALIZED BY SENDING CREWS TO RETURN TO THE SAME AREA TO CLEAN WHERE THERE WERE PARKED CARS, TO STILL HAVE PARKED CARS IN THEIR WAY WHEN RETURNING. THE CITY NEEDS EFFICIENCY BY CLEANING STREETS AND AVENUES THE SAME NIGHT, BUT WILL RETURN TO THE DISTRICT WITH NO GUARANTEE THE AREAS WILL BE CLEAR OF PARKED CARS.

Concerns have been raised regarding the inconvenience the restrictions cause as they are in place several times a week, while street sweeping only occurs once a month and snow clearing following a snowfall.

THE RBID WOULD SUBMIT THAT AS MORE BUSINESSES ARE LOOKING TO ESTABLISH IN THE AREA, THE UPTAKE OF PROVIDING A CLEAN AREA FOR CUSTOMERS BY CLEANING SIDEWALKS AND CURBSIDES IN A COORDINATED MANNER IS INCREASING. MANY HAVE LIMITED STAFF YET STILL WANT THE IMMEDIATE AREAS NEAR BUSINESS CLEAR OF DEBRIS AND SNOW TO AVOID CUSTOMERS GETTING STUCK.

THE MOST COMMON CALL TO OUR OFFICE IS THAT SNOW REMOVAL OR SIDEWALK CLEANING DID NOT OCCUR ON THE DAYS THAT IT WAS SCHEDULED OR RECENTLY, WHEN SENT OUT BY THE CITY FOR A PARTICULAR NIGHT AND NOT HAVING THE JOB DONE. MANY CONCERNS ARE VOICED TO THE RBID ABOUT THE LACK OF PROPER REMOVAL, AND FAILURE TO RETURN TO CATCH THE MISSED PORTIONS. WAITING ONE MORE MONTH MEANS LEAVING THE DISTRICT FILTHY FOR THAT MUCH LONGER.

THE RBID OFFICE HAS CONSISTENTLY RECEIVED CALLS FROM BUSINESSES WHEN TEMPORARY NO PARKING SIGNS ARE PREVENTING CUSTOMERS FROM PARKING DURING REGULAR BUSINESS HOURS IN FRONT OF THEIR BUSINESSES.

CITY COUNCIL MUST BEAR THE FOLLOWING IN MIND REGARDING THE RIVERSDALE BID AREAS WHEN SNOW CLEARING:

- 20TH STREET WEST IS ON A BUS ROUTE, HIGHLY UTILIZED BY FIRE TRUCKS FROM NO.1 FIRE HALL, AND A MAJOR ROUTE TO ST. PAUL'S HOSPITAL FOR THE AMBULANCE.
- WHERE MOST MAJOR ARTERIAL ROADWAYS ARE 90 FEET WIDE, 20TH STREET WEST IS ONLY 66 FEET WIDE AND NEEDS QUICK AND EFFICIENT WINDROWING AND LOADOUT OF SNOW.

- MANY BUSINESSES ALREADY AVOID PLACING MORE SNOW INTO THE PARKING LANE UNTIL CREWS REMOVE EXISTING SNOW, THEN SHOVEL SIDEWALKS INTO THE PARKING LANE TO AVOID PEOPLE GETTING STUCK.
- THE NORTH SIDE OF 20TH STREET WEST TYPICALLY HAS SNOW SETTLING DUE TO SHELTERED AREAS FROM PREVAILING NORTHWEST WINDS
- AVENUES A-D ARE THE PRIMARY COMMERCIAL AREAS WITH ROADS SOUTH OF 20TH THAT ARE STREETSCAPED AND NEED ATTENTION TO ALLOW FOR EASE OF PARKING AND CYCLING IN THE AREA.
- THE DESIRE AND WILL OF THE MAJORITY OF BUSINESSES TO CLEAN THE AREA IS STRONG, AND A PREDICTABLE SCHEDULE THAT IS ADHERED TO HAS DEMONSTRATED IN THE PAST TO WORK WELL.
- AS PART OF THE WINTER CITY STRATEGY, WE HAVE REPEATEDLY HEARD THAT THE ABILITY TO MOVE ABOUT WHETHER ABLE-BODIED AND ON FOOT, OR IN A SCOOTER OR WHEELCHAIR IS PARAMOUNT TO SUCCESS HERE.
- TEMPORARY NO PARKING SIGNS COST MONEY TO PUT OUT IN ADVANCE OF CREWS WORKING, AND BEING PICKED UP FOLLOWING CREWS COMPLETING THEIR WORK.

CITY COUNCIL MUST BEAR THE FOLLOWING IN MIND REGARDING THE RIVERSDALE BID AREAS WHEN STREET SWEEPING:

- THE RIVERSDALE BID WAS RECEIVING ONE SWEEP PER WEEK BEGINING TUESDAYS FROM 2AM TO 6AM. THIS ALLOWED MERCHANTS AND STAKEHOLDERS TO CLEAN THEIR PROPERTIES ON MONDAYS. IT WORKED WELL.
- CREWS HAD EXPRESSED FRUSTRATION NOT BEING ABLE TO COMPLETE THE MUCH NEEDED CURB TO CURB SWEEPING DUE TO PARKED CARS OVERNIGHT. IN 1992 THE RBID HAD ESTABLISHED THE REASONABLE IMPLEMENTATION OF RESTRICTIONS OVERNIGHT TO ALLOW CREWS TO PERFORM THEIR WORK PROPERLY AND THOROUGHLY.
- WE UNDERSTAND THE TEMPORARY OVERNIGHT PARKING RESTRICTIONS WERE IN PLACE WITH THE 1993 STREETSCAPING FROM AVENUE A TO AVENUE D, WITH RESTRICTIONS TO AVENUE H.
- AREAS MISSED BY NOT OBSERVING PARKING RESTRICTIONS ARE THEREFORE LEFT FOR YET ANOTHER MONTH AND THE DISTRICT REMAINS FILTHY FOR TWO MONTHS.
- IF A VEHICLE IS PARKED IN THE SAME SPOT NEXT MONTH, THE CREWS GO AROUND AND THE AREA IS FILTHY FOR THREE MONTHS.
- STREET SWEEPING WAS FROM AVENUE A TO AVENUE P ON 20TH STREET WEST, AND AVENUES A TO D FROM 22ND STREET WEST TO THE RIVER.
- ALTERNATING BETWEEN STREETS AND AVENUES ALLOWED THOSE LIVING ON 20TH STREET WEST OR ON THE AVENUES, A PLACE TO PARK WHILE ALLOWING CREWS TO CLEAN THIS DISTRICT PROPERLY.
- RAIN OR EQUIPMENT FAILURE MEANT THE CREWS COULD RETURN LATER THAT SAME WEEK AND COMPLETE THEIR WORK, UNINTERRUPTED, WITH BETTER WEATHER OR SERVICED EQUIPMENT
- THE RBID HAS SEVERAL AREAS WITH CHALLENGES IN MAINTENANCE ON A REGULAR BASIS THAT NEEDS MORE ATTENTION THAN CURRENTLY UNDERWAY. IT WAS BETTER BEFORE.
- THERE IS FAR MORE DEBRIS IN APRIL THAN IN JULY AND WITH MORE FREQUENT SWEEPS, CREWS CAN PERFORM WORK QUICKER AND HAVE LESS ROAD DEBRIS TO REMOVE AS THE SEASON MOVES ON.
- THE FALL SWEEP FOR LEAVES IS CRUCIAL FOR THE RELATIVELY FLAT DISTRICT WE HAVE, AND SINCE CREWS AND THE RBID STREET AMBASSADOR FOCUS ON CLEARING STORM CATCH BASINS, STORE FRONT FLOODING IS ALMOST NON-EXISTENT.
- WITH THE AREA FACING MORE CHALLENGES TO THE WEST OF 20TH STREET THE NEED TO ENSURE THAT WHILE THE DISTRICT IS MARGINALIZED, IT NEEDS MORE ATTENTION FROM THE CITY THAN CURRENTLY UNDERWAY.
- THE CITY CENTRE PLAN AND CALLS FOR MORE ANIMATION IN OUR CENTRE CITY BID AREAS MEANS MORE PEOPLE, MORE DEBRIS, AND MORE FREQUENCY. IT'S HARD TO ENJOY AN OUTDOOR PATIO WITH FILTH AROUND YOU.

THE RBID BOARD HAS DISCUSSED THE TOPIC MANY TIMES OVER MANY YEARS WITH THE RESULT BEING THE NEED FOR CLEAN STREETS, WHETHER SNOW IN WINTER OR DEBRIS IN SUMMER THE PRIORITY FOR THE DISTRICT. THE EXISTING PROTOCOLS IN PLACE WERE WORKING WELL. THE WEEKLY STREET SWEEP NEEDS TO BE REINSTATED TO ENSURE WE ARE PRESENTING OURSELVES THE BEST WAY POSSIBLE.

THE RBID WILL PROVIDE A MOTION FOR CITY COUNCIL'S NOVEMBER 2019 MEETING REGARDING OVERNIGHT PARKING RESTRICTIONS IN THE RBID.

ATTACHED PHOTOS SHOW THE COSTLY TEMPORARY NO PARKING SIGNS DURING REGULAR BUSINESS HOURS; THE ABSENCE OF CARS AT 4:15AM; FADED NO PARKING SIGN.

THANK YOU,
RANDY PSHEBYLO

Randy Pshebylo; BDM, Executive Director

RIVERSDALE BUSINESS IMPROVEMENT DISTRICT

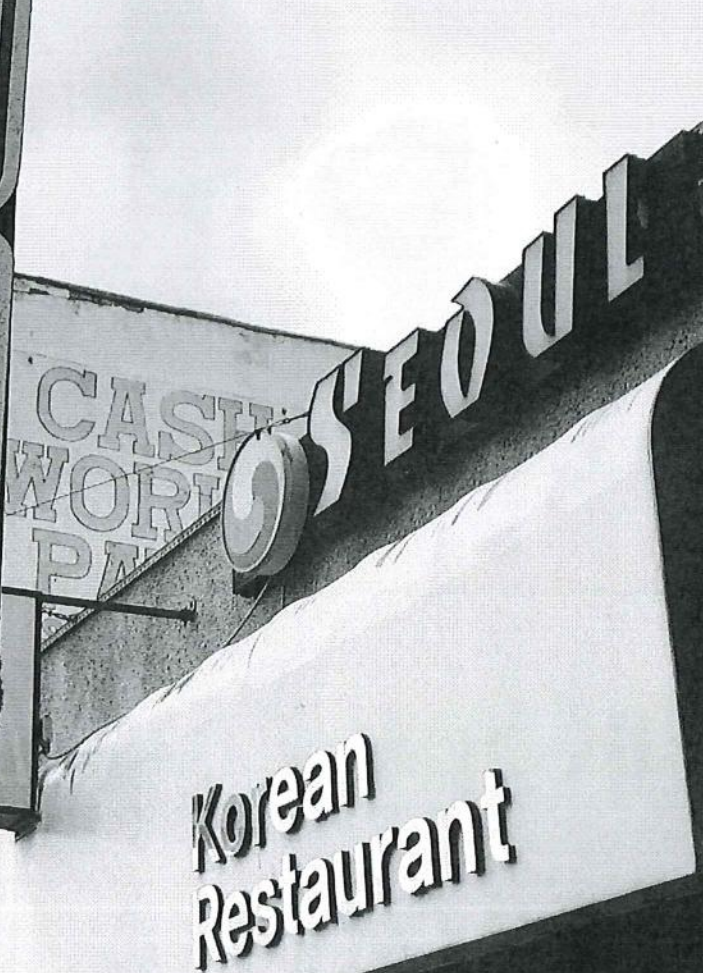
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GOVERNANCE AND PRIORITIES COMMITTEE

Workplace Transformation Journey: Corporate Reorganization Bylaw Repeals

Recommendation of the Committee

That the City Solicitor be directed to prepare bylaws to repeal:

1. Bylaw No. 5257, *The Local Improvement Procedure Bylaw*;
2. Bylaw No. 4486, *A bylaw of The City of Saskatoon to adopt Section 3 of The Lord's Day (Saskatchewan) Act*;
3. Bylaw No. 5631, *A bylaw of the City of Saskatoon to provide for the regulation of Planned Unit Developments*; and
4. Bylaw No. 5048, *A Bylaw to appoint The Saskatchewan Society for the Prevention of Cruelty to Animals (Saskatoon Branch) as Poundkeeper for The City of Saskatoon*.

History

The Governance and Priorities Committee, at its meeting held on November 12, 2019, considered a report of the City Solicitor regarding the above.

Attachment

Report of the City Solicitor dated November 12, 2019

Workplace Transformation Journey: Corporate Reorganization Bylaw Repeals

ISSUE

This report recommends the repeal of four bylaws that were identified during the Workplace Transformation Journey: Corporate Reorganization bylaw review as being obsolete.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that the City Solicitor be directed to prepare bylaws to repeal:

1. Bylaw No. 5257, *The Local Improvement Procedure Bylaw*;
2. Bylaw No. 4486, *A bylaw of The City of Saskatoon to adopt Section 3 of The Lord's Day (Saskatchewan) Act*;
3. Bylaw No. 5631, *A bylaw of the City of Saskatoon to provide for the regulation of Planned Unit Developments*; and
4. Bylaw No. 5048, *A Bylaw to appoint The Saskatchewan Society for the Prevention of Cruelty to Animals (Saskatoon Branch) as Poundkeeper for The City of Saskatoon*.

BACKGROUND

At its November 19, 2018 Regular Business Meeting, City Council considered the report of the City Manager dated November 13, 2018, recommending the approval of a new corporate structure. City Council resolved, in part:

“That the City Solicitor be instructed to bring back any necessary bylaw amendments resulting from the approval of the new corporate structure.”

During the bylaw review undertaken to implement this resolution, the City Solicitor identified four bylaws that no longer serve their purposes and should be repealed.

DISCUSSION/ANALYSIS

The Local Improvement Procedure Bylaw

This bylaw was passed pursuant to *The Local Improvements Act*, RSS 1965, c 154. *The Local Improvements Act* was replaced by *The Local Improvements Act, 1993*, SS 1993, c L-33.1 (the “1993 Act”), effective January 1, 1994. The process to be followed by a city for local improvements changed in the 1993 Act and the bylaw no longer

accurately reflects what must be done by bylaw for local improvements. Further, the bylaw sets uniform rates for certain local improvements, which rates have not been updated since 1994. The 1993 Act provides that uniform rates fixed in a bylaw only remain in force for three years from the date of the bylaw, so the rates are long expired.

While it may be possible to amend *The Local Improvement Procedures Bylaw* to comply with the 1993 Act, the City of Saskatoon (the “City”) has not undertaken a local improvement for over a decade. In the event a local improvement is desired in the future, it is preferable to enact a new local improvement bylaw at that time to ensure compliance with the 1993 Act and any amendments. The existing *Local Improvement Procedure Bylaw* is obsolete and should be repealed.

A bylaw of The City of Saskatoon to adopt Section 3 of The Lord’s Day (Saskatchewan) Act (the “Lord’s Day Act Bylaw”)

The Lord’s Day (Saskatchewan) Act, RSS 1978, c L-34, was repealed by *The Miscellaneous Statutes Repeal and Amendment Act, 2018*, SS 2018, c 19, effective May 9, 2018. As such, the Lord’s Day Act Bylaw is obsolete and should be repealed.

A bylaw of the City of Saskatoon to provide for the regulation of Planned Unit Developments (the “PUD Bylaw”)

The Planning and Development Act, RSS 1978, c P-13 (the “old Act”) permitted the development and use of planned unit developments (“PUDs”). *The Planning and Development Act, 2007*, SS 2007, c P-13.2 (the “new Act”) refers only to PUDs that were concluded pursuant to the old Act. The use of land is now regulated through the *Official Community Plan* and the *Zoning Bylaw* rather than through the use of PUDs. As a result, no new PUDs can be initiated. The process to vary existing PUDs is set out in the new Act. The PUD Bylaw is obsolete and should be repealed.

A Bylaw to appoint The Saskatchewan Society for the Prevention of Cruelty to Animals (Saskatoon Branch) as Poundkeeper for The City of Saskatoon (the “SPCA Bylaw”)

The Animal Control Bylaw, 1999 designates the SPCA as the Poundkeeper for the City and sets out all of the duties of a Poundkeeper. The City and the SPCA have entered into much more recent agreements than the draft contract ratified by the 1970 SPCA Bylaw. The SPCA Bylaw is obsolete and should be repealed.

IMPLICATIONS

There are no financial, legal, social, or environmental implications identified.

NEXT STEPS

Repealing bylaws must be prepared and passed to implement the recommendations. Public notice must be given for the repeal of *The Local Improvement Procedures Bylaw*.

Report Approval

Written by:	Reché McKeague, Solicitor
Approved by:	Cindy Yelland, City Solicitor
Reviewed by:	Jeff Jorgenson, City Manager



STANDING POLICY COMMITTEE ON TRANSPORTATION

Transit Detour Process

Recommendation of the Committee

That in addition to a digital approach, Saskatoon Transit continue using physical notices for bus detours and changes at the impacted bus stops.

History

At the November 4, 2019 Standing Policy Committee on Transportation meeting, a report of the General Manager, Transportation and Construction dated November 4, 2019 was considered.

Your Committee received a letter submitting comments from Shirley Koob, along with presentations from the following:

- Robert Clipperton, Bus Riders of Saskatoon
- Marjaleena Repo
- Louis Mayrand
- Peter Gallen

Your Committee also resolved that the Administration report back to the appropriate Committee on how they have worked to strengthen information and communication on notices for digital, phone and paper approaches for changes to bus routes, including engagement with stakeholders; and that the Administration report back to the Standing Policy Committee on Transportation on options to improve communication between road detours and Saskatoon Transit.

Attachment

1. November 4, 2019 report of the General Manager, Transportation and Construction
2. October 14, 2019 email from Shirley Koob

Admin Report - Transit Detour Process.docx

ISSUE

Saskatoon Transit uses a primarily paper-based system for communicating temporary transit stop closures and is anticipating moving to a primarily digital approach by April 1, 2020. This report provides the Standing Policy Committee on Transportation with background, status and process information on this transition.

BACKGROUND

Saskatoon Transit Administration has identified many gaps within the current process of posting paper notices for temporary bus stop closures. The use of paper bus stop closure notifications is susceptible to a number of issues which impacts the timeliness and accuracy of information available. For example, weather, vandalism and theft all impact the reliability of the paper notification. Furthermore, changes to a construction project impacting a bus stop also affects the reliability and timeliness of the information depending on when Transit staff receives the information and can re-visit the location to update the paper notice. Posting, updating and monitoring the status of these paper notices requires time equivalent to approximately 1.5 FTEs, roughly \$100,000 annually.

CURRENT STATUS

The vast majority of temporary bus stop closures take place during the City's construction season (April – October).

Saskatoon Transit currently communicates temporary bus stop closures by:

- Posting a paper notice at affected bus stops for planned detours or closures in excess of 24 hours in duration.
- Posting a digital notification, called a Service Alert on the mobile app Transit, Google Transit (available on mobile and desktop), SaskatoonTransit.ca and Saskatoon Transit Twitter.

Over 6,000 Saskatoon Transit riders use the Transit app on a daily basis. This does not include the number of people who use Google maps on their phone or desktop and the approximately 1,000 people who visit Saskatoon Transit's website every day. In addition to receiving Service Alert information, those riders using the Transit app can mark the routes they use on a regular basis as their favourite, within the app, to receive push notifications when there is a service alert on their route.

To post a paper notification, Transit Supervisors drive to the affected bus stop and post a notification. These notices are temporarily affixed to the bus stop pole using zip ties and it is important that they are monitored for vandalism, theft and damage as they are often damaged or displaced by adverse weather. When there is a change to a project/bus stop closure timeline, staff must go back to the affected stop and post new paper notices. This process can result in significant delays for riders to access updated information.

Saskatoon Transit always aims to set up a detour without closing a bus stop, when possible, bus stops are closed only as a last resort. When a closure is necessary, there are typically barricades or pylons blocking the road which offer a visual cue that vehicles, including buses, are not allowed to drive down a street. Posting paper notifications on temporarily closed bus stops could encourage people to walk into construction zones to read them, posing a safety concern for both the individual and workers.

Advances in software and hardware used to monitor and track the GPS locations of buses has allowed Saskatoon Transit to automate service alerts across all digital channels. This automation allows Service Alerts to be pushed to affected routes at the same time as Saskatoon Transit is notified of the service disruption. This provides for immediate alterations to an alert when needed.

DISCUSSION/ANALYSIS

Saskatoon Transit's transition to digital first temporary bus stop closure notifications relies on a method whereby service alerts are pushed to the Transit App, Google Transit, SaskatoonTransit.ca and Saskatoon Transit Twitter. Paper notices outlining all service disruptions for planned detours in excess of 24 hours will be posted at each of the six main Transit Terminals (Downtown, Place Riel, Market Mall, Centre Mall, Confederation Mall and Lawson Mall), catering to those transferring at a terminal who may not be on a digital platform. In all cases, contacting staff at the Saskatoon Transit Customer Service Centre, 975-3100, will result in citizens getting up to date information. This will see paper notifications no longer posted at each affected stop beginning with the 2020 construction season.

The one exception is when a bus stop is closed and routing is changed from one street to another. In this instance, paper notifications will be used to direct riders to temporary bus stops (depicted by A frame signs) in the new locations.

As noted earlier, there are many gaps in the current process of posting paper notifications. Saskatoon Transit's commitment is to provide timely and reliable service to customers yet the reality is that the paper notifications can often lead to unreliable information. The current system requires significant staff hours at a cost of approximately \$100,000 per year that could be invested in other areas to enhance customer and employee support.

Furthermore, the current process will not be sustainable as the footprint of the city grows, relying on more staff hours to post, monitor and take care of notices across a larger system. The digital first approach greatly assists Saskatoon Transit in building trust with riders by communicating timelier, more consistent and reliable information on an increasingly convenient platform that up to 96% of the population use. (According to the Pew Research Centre, 96 percent of Americans own a mobile phone with high penetration among all demographic groups.)

By committing to digital service alerts and paper notifications at Transit terminals, Saskatoon Transit can instantly inform the large majority of riders while maintaining a notification system for non-wired users. Moving forward, temporary bus stop closure notifications will be communicated as follows:

Channel	Form
Transit app	Digital (mobile)
Google Transit	Digital (mobile & desktop)
SaskatoonTransit.ca	Digital (mobile & desktop)
Transit Twitter	Digital (mobile & desktop)
Six Transit Terminals	Hard Copy
Calling Transit Customer Service (975-3100)	Other (mobile & landline)

The digital first approach supports the strategic goal of Continuous Improvement by looking at more efficient ways to conduct business and ensure an integrated approach to stakeholder communications. One of the pillars of the Communications and Public Engagement Division is to enhance the digital approach. Exponential growth in technology has brought about increased citizen expectations, with residents wanting access to timely and digitally accessible information they can access on their own time and on their own devices. Moving to a digital approach for advising customers of temporary bus stop closures aligns with the digital approach the City has undertaken for notifying residents of garbage collection schedules, and leisure guide programs and services.

In Canada, the majority of mobile phone users are smartphone users. Further, regardless of assumptions to the contrary, data is not required to access Transit Service Alert information on the Transit app, removing a barrier for many individuals. For clarification, it is by using the “Go” feature in the Transit app that data is required, as well as the function that enables riders to see how far away the bus is in real time.

Transit Agencies from around Canada

Saskatoon Transit enlisted the Canadian Urban Transit Association (CUTA) to poll Canadian transit agencies on temporary bus stop notification processes. Of the 31 respondents, 24 agencies have some form of digital notification approach, three agencies did not post physical notifications at bus stops and several agencies expressed they would be expanding their digital notifications process. From this quick industry scan, it appears that Saskatoon Transit is at the leading edge of adopting a digital first approach and technology integration.

Digital Approach Services from North American Agencies

Saskatoon Transit also found other examples of government agencies successfully moving to a digital first approach in non-traditional industries. In the United States numerous public service agencies use a digital approach to enroll in a program, set up a free doctor appointment, and communicate with and notify customers of program changes.

Saskatoon Transit is examining the current digital systems available, and is in discussions with existing vendors to see whether there are options to incorporate text messaging, and RSS feeds into the temporary bus stop closure notification process.

IMPLICATIONS

An estimated 1.5 FTEs (equivalent to approximately \$100,000) are used to print, physically distribute, update and monitor all the paper notifications. These resources will be used to further enhance the customer experience and provide more day-to-day support to Transit staff including mentoring and coaching of operators as well as timelier customer complaint and issue follow-up.

This change in process will also reduce the amount of paper and single use plastics (zip ties) used by Saskatoon Transit. Completing the adoption of a digital first approach for temporary bus stop closure notifications in the spring of 2020 allows for appropriate time to communicate with residents and seek feedback on the options presented within this report.

Based on a statistical analysis of daily ridership, average number of bus stops closed to construction, total number of bus stops, and percentage of citizens without access to a mobile device, there is a 0.017% to 0.034% probability that an individual citizen may be affected by a bus stop closure during construction season.

NEXT STEPS

Saskatoon Transit anticipates completing the adoption of a digital first approach for bus stop notifications at the start of the 2020 construction season (April 1, 2020). Prior to this, further options for providing notifications will be explored and additional stakeholder discussions will be conducted.

Report Approval

Written by:	Michael Moellenbeck, Operations Manager Allison Gray, Marketing Consultant Cory Shrigley, Customer Service and Engagement Manager
Reviewed by:	Carla Blumers, Director of Communications & Public Engagement, Strategy & Transformation James McDonald, Director Saskatoon Transit
Approved by:	Terry Schmidt, General Manager, Transportation and Construction Department

From: Shirley Koob <[REDACTED]>
Sent: Monday, October 14, 2019 8:31 PM
To: City Council
Subject: Form submission from: Write a Letter to Council



Submitted on Monday, October 14, 2019 - 20:30

Submitted by anonymous user: 207.47.175.54

Submitted values are:

Date Monday, October 14, 2019

To His Worship the Mayor and Members of City Council

First Name Shirley

Last Name Koob

Email [REDACTED]

Address [REDACTED]-12th Street East

City Saskatoon

Province Saskatchewan

Postal Code S7N [REDACTED]

Name of the organization or agency you are representing (if applicable)

Subject Posting Notices of Temporary Closures/Changes at Bus Stops

Meeting (if known) SPC on Transportation November 2019

Comments

I will be out of country for the November 2019 meeting so will be unable to speak, but would appreciate having my comments go to all councillors prior to the meeting so they can read my comments. Thank you.

I am writing today with serious concerns I have about Saskatoon Transit.

1) Saskatoon Transit used to post notices at bus stops (when bus stops were temporarily out of use (e.g. during the Fringe, some Broadway Bus stops were closed). The notices used to tell us which bus stop to go to, but now they just say something like "Stop Not in Use", leaving the bus rider to figure out on their own where to find another bus stop.

However, the MUCH BIGGER PROBLEM is that I was told that as of September 30th, Saskatoon Transit will no longer be posting any notice at all to tell the rider that a stop is temporarily out of service. The rider will now stand at a bus stop, assuming their bus is coming and if the bus doesn't come the rider is then out of luck, left to wonder what happened to their bus! This is the most ridiculous idea! Apparently riders are now supposed to be psychic to know whether or not a bus is coming to their stop!! Then if a bus doesn't come to the stop (meaning the rider is late for work, appointments, or anything else they were going to), apparently riders are supposed to look at their app on their cell phone to find out what happened to their missing bus. I don't own a cell phone. Many people who ride the bus do not own cell phones and not everyone with a cell phone has the Saskatoon Transit app. So, many people are going to be left behind, not knowing what is going on!

The City of Saskatoon needs to increase ridership on Saskatoon Transit. The environment also needs more people to take the bus. These types of decisions only decrease ridership! Imagine yourself standing at a bus stop in 40 below weather, not knowing if a bus is coming or not and with no way to find out. Now, think about that

same situation as a senior, or someone with mobility issues. Now think about the same situation, with a fear of losing your job if you are late for work. (Imagine that you are on your way to a City Council meeting and the bus just doesn't show up at your stop and you are late for the meeting and if you are late for the meeting, you are fired from your councillor position). There are no good reasons for leaving those of us who use and rely on Saskatoon Transit to with LESS information about the bus. Those that use the bus need MORE information, not less! When the bus system doesn't work, people give up on the bus!

2) There was a new Aboriginal design bus shelter installed at 12th Street East and Broadway this summer. Although the Aboriginal design is nice, the shelter doesn't function properly. As one is standing in the shelter, looking east to watch for your bus, one can't see out of the shelter to actually see if there is a bus coming. So one has to stand outside of the shelter to watch for a bus. Also, if one was standing in the bus shelter, a bus driver would not be able to see if you were in the shelter and would drive on past. There needs to be clear panes on the side(s) where one is watching for a bus!. This particular bus shelter now does not function as a shelter because one has to stand outside of it to watch for their bus!

Please contact me ASAP about these serious issues.

Thank you.

Shirley Koob

Attachments

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/344298>

Bryant, Shellie

From: Robert Clipperton [REDACTED]
Sent: November 14, 2019 9:11 PM
To: Web E-mail - City Clerks
Subject: Request to Speak to Council

Greetings,

I would like to added to the agenda to address Council at their meeting on November 18th regarding Agenda item 9.4.1 Transit Detour Process.

Thank you,

Robert Clipperton,
Bus Riders of Saskatoon.

[REDACTED]

Bryant, Shellie

From: Benjamin Ralston [REDACTED]
Sent: November 14, 2019 6:29 PM
To: City Council
Subject: Form submission from: Write a Letter to Council
Attachments: ltr_ralston_2019-11-14.pdf

Submitted on Thursday, November 14, 2019 - 18:29

Submitted by anonymous user: 128.233.10.169

Submitted values are:

Date Thursday, November 14, 2019

To His Worship the Mayor and Members of City Council

First Name Benjamin

Last Name Ralston

Email [REDACTED]

Address [REDACTED] Avenue E South

City Saskatoon

Province Saskatchewan

Postal Code [REDACTED]

Name of the organization or agency you are representing (if applicable)

Subject Bicycle Bylaw Update - Proposed Revisions

Meeting (if known) City Council Meeting on Monday, November 18th

Comments

I am asking City Council to consider my attached letter but not requesting to speak.

Attachments

ltr_ralston_2019-11-14.pdf <https://www.saskatoon.ca/sites/default/files/webform/ltr_ralston_2019-11-14.pdf>

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349254>

Benjamin Ralston
[REDACTED] Avenue E South
Saskatoon SK [REDACTED]

November 14, 2019

Office of the City Clerk
222 3rd Avenue North
Saskatoon SK S7K 0J5

Re: November 18th Agenda Item: Bicycle Bylaw Update – Proposed Revisions

Dear Members of City Council:

I write to express my enthusiastic and unqualified support for the recommendations set out within the August 2019 Project Report prepared by Ms. Marina Melchiorre regarding an update to the City of Saskatoon's Cycling Bylaw.

I assisted Saskatoon Cycles with its own submissions in support of reform to the existing Cycling Bylaw. Among other things, I supervised the initial research of a law student (Scott Silver) on this project, I then supplemented Mr. Silver's work and prepared a full draft of the submission from it, and assisted during a consultation process with the members of Saskatoon Cycles to elicit further input for a final draft. The final report has been included as an attachment to Ms. Melchiorre's own report.

I do note that several of Saskatoon Cycles' recommendations are *not* reflected in Ms. Melchiorre's report and I still stand behind all the recommendations made on behalf of Saskatoon Cycles and the painstaking research on which they were based. Nevertheless, I wish to wholly endorse Ms. Melchiorre's own report as it proposes balanced and politically feasible recommendations for updates to a bylaw that is out-of-date, confusing, and illogical in many respects.

Saskatoon Cycles has been advocating for the administration to amend the 1988 Cycling Bylaw since at least 2012 and the City of Saskatoon's now defunct Cycling Advisory Group put extensive work into this too. Likewise, the submissions I helped prepare for Saskatoon Cycles were circulated to the city administration well over two years ago and they have been followed by submissions from a diverse range of other local organizations that also weighed in on amendments to the 1988 Cycling Bylaw. Ms. Melchiorre's report is a reasoned and thoughtful response. I urge City Council not to let perfection remain the enemy of progress when it comes to bringing the 1988 Cycling Bylaw into the 21st century.

The length of Ms. Melchiorre's report reflects the depth of reflection, research, and community engagement that went into its preparation. The vast majority of its proposed amendments are dictated by basic common sense and should provoke very little controversy from the public. However, three of its proposals do appear to

have elicited some level of public controversy so I wish to address them in detail with the remainder of this submission.

One-meter minimum passing distance

The inclusion of a one-meter passing distance in the proposed amendments appears to be one of its more controversial recommendations. Yet this clearly falls in line with the best practices that have emerged in North America and internationally. In Saskatoon Cycles' submission it was pointed out that a majority of states in the US (28) had put in place legislated minimum passing distances of two feet or greater at the time of writing (2016). It appears that minimum passing distances of three feet or greater are now legislated in at least 32 states: Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Mississippi, Nebraska, Nevada, New Hampshire, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Virginia, Utah, West Virginia, Wisconsin, Wyoming, and DC.

The Saskatoon Cycles submission also pointed out that either the same (one-meter) or a greater minimum passing distance had been legislated by most states in Australia, as well as several countries in Europe at that time. However, in Canada, only Ontario and Nova Scotia had legislated minimum passing distances when the Saskatoon Cycles submission was researched and first drafted in 2016. Since that time a legislated minimum passing distance of one meter or more has been implemented in several other Canadian jurisdictions. In fact, there is now a one-meter minimum passing distance in a majority of all Canadian provinces: namely, Ontario, Quebec, Nova Scotia, Prince Edward Island, New Brunswick, and Newfoundland and Labrador. The City of Calgary has also very recently implemented the same minimum passing distance by way of municipal bylaw.

There is good reason for such a rapid adoption of a standard minimum passing distance across the globe. Motorists have been found to be at fault in the majority of bicycle-motor vehicle crashes (57%), passing too closely is the most common incident type (40.7%), and studies in the UK and Australia have found that 13-15% of all fatal bicycle crashes involved motorist sideswipes (see Debnath et al, "Factors influencing noncompliance with bicycle passing distance laws" (2018) 115 *Accident Analysis and Prevention* 137 at 137). The City of Saskatoon can feel confident that this amendment not only reflects a best practice, it could very well save lives.

It is also important to bear in mind that this amendment is best characterized as a *clarification* of the law rather than the imposition of some radical new requirement on those operating motor vehicles in Saskatoon. Provincial law already prohibits driving a vehicle "without reasonable consideration for other persons" (see section 44(2) of *The Highway Traffic Act, 1996*). Motorists can already be charged if they overtake a cyclist at an unsafe distance on the basis that doing so amounts to driving without reasonable consideration for others (see for example *R v Perret*, 2016-12-01SCPPerretJ (Sask. Prov. Ct.) [unreported]). And in jurisdictions where a minimum

passing distance has yet to be legislated, insurance bodies still often refer to this same distance in their guidance to drivers (see for example, Manitoba Public Insurance, “Motorists encouraged to leave one-meter distance when passing a cyclist” (22 June 2017): <<https://www.mpi.mb.ca/Pages/nr2017june22.aspx>>). At this time, it cannot be said with any certainty that overtaking cyclists with less than one-meter of clearance in Saskatoon is legal. Legislating a minimum one-meter passing distance will now make it clear for all road users that it is *not*.

No mandatory helmet provision

Another aspect of Ms. Melchiorre’s report that may be controversial is the absence of any recommendation in support of making helmet use mandatory for adults. I wish to quickly outline a few key reasons why I think the City of Saskatoon ought to accept this position and not make helmet use mandatory in this bylaw.

First of all, several studies have indicated that mandatory helmet laws may not be effective at reducing head injuries (see for example: Kay Teschke et al, “Bicycling injury hospitalisation rates in Canadian jurisdictions: Analyses examining associations with helmet legislation and mode share” (2015) *BMJ Open* 5; Jessica Dennis et al, “Helmet legislation and admissions to hospital for cycling related head injuries in Canadian provinces and territories: Interrupted time series analysis” (2013) *BMJ Open* 346; Sara Markowitz & Pinka Chatterji, “Effects of bicycle helmet laws on children’s injuries” (2015) *Health Economics* 24).

Second, there is evidence to suggest that mandatory helmet laws can discourage cycling (see Christopher Carpenter & Mark Stehr, “Intended and unintended consequences of youth bicycle helmet laws” (2011) 54:2 *Journal of Law and Economics* 305). These laws may promote an unjustified impression that cycling is dangerous when we may face a greater statistical risk of injury when climbing a ladder or getting into a bath (see Elizabeth Rosenthal, “To Encourage Biking, Cities Lose the Helmets” (29 September 2012) *New York Times*). This in turn can mean that even if such a law were to decrease rates of head injuries, it could also decrease physical activity levels so as to eliminate any net public health benefit (see Piet de Jong, “The Health Impact of Mandatory Bicycle Helmet Laws” (2012) *Risk Analysis* 32).

Third, an emphasis on helmet use can be seen as a form of “victim-blaming” and a distraction from more cycling supportive approaches to improving safety such as the creation of integrated networks of cycling infrastructure. In making this argument, one recent publication likened the “helmet fixation” in North America to a debate over whether making bullet-proof vests mandatory for city-dwellers would reduce the severity of gun violence in US cities. While a mandatory vest law could very well reduce deaths and injuries, “this would implicitly accept gun violence as inevitable, rather than seeking to stop people from being shot in the first place” (Greg Culver, “Bike helmets – a dangerous fixation? On the bike helmet’s place in the cycling safety discourse in the United States” (2018) *Applied Mobilities*).

Fourth, there is some evidence to suggest that helmet use communicates a false sense of security to cyclists and drivers alike, causing the former to engage in riskier behaviours on their bikes and the latter to engage in riskier behaviour when overtaking cyclists on the road. According to one researcher, this could explain why a compulsory helmet policy in Australia (which has apparently since been abandoned) led to a significant *increase* in cycling injury rates rather than an anticipated decrease (see David Pimentel, “Cycling, Safety, and Victim-Blaming: Towards a Coherent Public Policy for Bicycling in 21st Century America (2018) 85 *Tennessee Law Review* 753 [“Pimentel”] at 784-785).

Finally, mandatory helmet laws create financial and practical barriers to cycling in general, as well as to specific cycling programs like the bike-sharing facilities now available in major cities across the globe (see Pimentel at 783). This financial and practical barrier will be of particular concern to low income residents of Saskatoon who rely on bicycles as a form of safe and affordable transportation.

Many researchers and commentators also point more anecdotally to the fact that the countries best known for high rates of cycling as a regular form of transportation, such as Denmark and the Netherlands, are jurisdictions where cycling infrastructure is prioritized and helmets have not been made mandatory. With all due respect to those holding contrary views, I believe that Ms. Melchiorre’s report strikes the right balance by recommending that helmet use be encouraged by the City rather than employing a punitive approach to helmet use by making it mandatory through an amendment to the 1988 Cycling Bylaw.

Allowing children to ride their bicycles on sidewalks

More recently, some controversy has arisen around the recommendation in Ms. Melchiorre’s report for children under 14 to be exempted from the existing blanket prohibition against riding bicycles on sidewalks. This proposed recommendation would bring Saskatoon’s bylaw in line with the recently revamped cycling bylaws in Calgary and Toronto where similar exemptions have been made for children under 14. An exemption for children should be common sense as forcing children to ride their bicycles on the road will also oblige them to follow the rules of the road at an age when they are not yet eligible to obtain a learner’s permit for driving.

Current research does suggest that cycling on sidewalks is objectively more dangerous than cycling in dedicated infrastructure like bike lanes or even on some roads shared with motor vehicles—namely those where no parked cars are present (see Meghan Winters et al, “Safe Cycling: How Do Risk Perceptions Compare With Observed Risk?” (2012) 103 *Can J Public Health* 42 [“Winters et al”]). However, this will not necessarily accord with the perceptions of cyclists, which will have a considerable impact on their compliance with a blanket ban. It appears that cyclists generally perceive separated routes as safest and will generally prefer routes (even sidewalks) that keep them away from motor vehicles when these are available (Winters et al).

While there may be very legitimate concerns over the risks to safety posed by people cycling on streets with high pedestrian activity like 20th Street, 2nd Ave, or Broadway, I would urge City Council to recognize these as exceptional and geographically unique examples rather than ones that are representative of the risk of pedestrian/cyclist conflicts on sidewalks elsewhere in the city. For example, City Council should consider the actual and perceived risks to safety for individuals who might be trying to make their way along 8th Street or College Drive by biking on the road alongside motor vehicles.

Area-specific sidewalk cycling prohibitions are possible. For example, sidewalk cycling is generally allowed in the State of Oregon (subject to certain rules) whereas the City of Portland in Oregon has implemented an area-specific prohibition against sidewalk cycling within the four corners of its downtown core. The 1988 Cycling Bylaw already designates certain roadways like Circle Drive where cycling is entirely prohibited so a similar approach could be feasible. However, this should not be pursued at the expense of other long overdue changes to the 1988 Cycling Bylaw.

In any event, it would come as a great surprise to hear that there is even anecdotal evidence of there being a problem specifically with children under 14 injuring pedestrians on the busiest sidewalks of our core neighbourhoods. And the fact that such accidents occasionally occur already in spite of an existing and long-standing prohibition against sidewalk cycling in the 1988 Cycling Bylaw demonstrates the practical limits to preventing this by bylaw alone, as opposed to providing more appropriate and desirable infrastructure options for those on bikes.

Increasing cycling safety is best accomplished by increasing safety in numbers

This brings me to a more general point. While amendments to the 1988 Cycling Bylaw are an important step in clarifying and regularizing the respective rights and duties of those commuting by bicycle and those commuting by motor vehicles, they do not promise a panacea. Existing research strongly suggests that the “safety in numbers effect” is the best guide for cities looking to improve cycling safety. If rules, infrastructure, and perceptions of risk lead to more residents commuting by motor vehicles instead of active transportation, this feeds a vicious circle in term of adding to road danger through increased traffic volume and congestion. This is borne out by the fact that bicycling injury rates are inversely proportionate to cycling mode share—that is to say, injury rates are significantly higher in places where cycling for transportation is less common (see John Pucher & Ralph Buehler, “Making Cycling Irresistible: Lessons from the Netherlands, Denmark and Germany” (2008) 28:4 *Transport Reviews* 495).

On the other hand, the safety in numbers effect suggests that a virtuous circle is also possible. Encouraging more people to cycle should reduce road danger and the risk of collisions with motor vehicles with bicycles (Beth Sonkin et al, “Walking, cycling and transport safety: an analysis of child road deaths” (2006) 99:4 *Journal of the Royal Society of Medicine* 402 at 405). Increasing residents’ uptake of cycling as a

form of transportation also brings with it a range of individual and public health benefits (see Pekka Oja et al, “Health benefits of cycling: a systematic review” (2011) 21:4 *Scand J Med Sci Sports* 496).

It is worth noting that by North American standards, Saskatoon has a relatively high proportion of residents who rely on bicycles as their main mode of commuting. According to data from the 2016 Census, 2% of Saskatoon residents rely on cycling as their main mode of transportation, which is a significantly greater proportion than the other prairie cities and the majority of similar sized cities elsewhere in Canada. For example, it is significantly higher than the mode shares for cycling in Regina (1.1%), Calgary (1.5%), Winnipeg (1.7%), Edmonton (1.0%), Halifax (1.0%), Windsor (1.0%) or London, Ontario (1.1%) (Statistics Canada, “Commuters using sustainable transportation in census metropolitan areas” (29 November 2017)).

Saskatoon also boasts a comparatively high Bike Score—a metric capturing environmental characteristics associated with cycling—in comparison to cities with higher current mode shares for cycling such as Victoria and Vancouver in British Columbia. This suggests that the city is particularly well-positioned to increase its cycling mode share in the future (Meghan Winters et al, “Bike Score®: Associations between urban bikeability and cycling behaviour in 24 cities” (2016) 13 *International Journal of Behavioural Nutrition and Physical Activity* 18).

And it should also be clear that our climate does not pose a barrier to increasing mode share and safety in numbers for cyclists in Saskatoon so long as appropriate and desirable infrastructure is provided. This can be seen by way of comparison with northern cities that have taken measures to encourage more cycling. For example, the city of Whitehorse, Yukon boasts a 3.2% mode share for cycling (City of Whitehorse, *Bicycle Network Plan 2018*). And the city of Oulu in northern Finland boasts a 33% cycling mode share during summer and a 9% mode share during winters (Cara Fisher, “Cycling Through Winter”(2014) *Plan Canada*).

In closing, I would like to once more encourage the members of City Council to accept the recommendations in Ms. Melchiorre’s report as reasonable, evidence-based, and common sense proposals for amendments to the 1988 Cycling Bylaw. And if the members of City Council are truly concerned about the safety of residents who choose to cycle, I would also encourage you to manifest these good intentions by investing in improvements to cycling infrastructure rather than punitive rules.

Thank you in advance for your consideration.

Sincerely,



Benjamin Ralston, BA, JD, LLM, PhD (candidate)

Thompson, Holly

From: Peter Gallen [REDACTED]
Sent: Saturday, November 16, 2019 1:37 PM
To: City Council
Subject: Form submission from: Write a Letter to Council
Attachments: citycouncil_frompetergallen.pdf

Submitted on Saturday, November 16, 2019 - 13:36

Submitted by anonymous user: 71.17.188.27

Submitted values are:

Date Saturday, November 16, 2019

To His Worship the Mayor and Members of City Council

First Name Peter

Last Name Gallen

Email [REDACTED]

Address [REDACTED] Haight Crescent

City SASKATOON

Province Saskatchewan

Postal Code [REDACTED]

Name of the organization or agency you are representing (if applicable)

Subject Agenda item 9.4.1: Transit Detour Process

Meeting (if known) Regular Council meeting, 18 November 2019

Comments

Since I already presented in person on this topic at SPCOT on 28 October 2019, I will not take up precious Council time again. I do, however, want to SUPPORT the motion before Council today, which was not unanimously supported at SPCOT (while the other two related motions were unanimously passed).

I would appreciate your attention to my comments in the attached document.

Thank you.

Attachments

[citycouncil_frompetergallen.pdf](#)

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349423>

Your Worship, City Councillors

Topic: Agenda item 9.4.1: Transit Detour Process

Since I already presented in person on this topic at SPCOT on 28 October 2019, I will not take up precious Council time again. I do, however, want to support the motion before Council today, which was not unanimously supported in SPCOT:

- The Motion before Council today instructs Administration to continue the practice of posting ON-SITE detour notices for transit riders, while simultaneously continuing the effort to improve the system of timely electronic alerts. Regardless of the outcome of this motion, barricades and notices will continue to be put in place on site to detour other road users. Equitable treatment of all road users requires that the same courtesy and service be extended to transit riders as well – especially since many transit riders are not reached by electronic alerts by cell-phone at this time.

FYI, I want also to point out that two related motions were already passed at SPCOT and are thus not before Council today.

- Two motions were passed unanimously at SPCOT, asking Administration to streamline its detour procedures among various City departments in order to save taxpayers money, while making the on-site experience more useful for all road users, including transit riders. Since personnel who are on site (often City staff or their contractors) already put up barricades and post detour notices for motorists, cyclists and pedestrians, they could, at the same time and at less cost to the city, also put up detour notices and temporary bus stop signs to serve transit riders. When dismantling the detour, staff on site could also remove all temporary structures and notices, including those put up for transit.

All three motions are important and the remaining motion, which is before Council today, also needs to be passed to provide efficient, equitable information to all users of the street in a fiscally responsible manner when there are disruptions due to construction or other city activities (e.g., parades).

Sincerely,

Peter Gallén



STANDING POLICY COMMITTEE ON TRANSPORTATION

Request for Budget Adjustment - Capital Project #2266 - Highway 16 and 71st Street Intersection Upgrades

Recommendation of the Committee

That the Mayor and Council send a letter to the RM of Corman Park requesting the money to be paid.

History

At the November 5, 2019 Standing Policy Committee on Transportation meeting, a report of the General Manager, Transportation and Construction dated November 4, 2019 was considered.

Attachment

November 4, 2019 report of the General Manager, Transportation and Construction.

Admin Report - Hwy 16_71 St Intersection Upgrades-Request for Budget Adjustment.docx

ISSUE

This report provides information on the Administration's final review of Capital Project #2266 – Highway 16 and 71st Street Intersection Upgrades (Capital Project #2266) which resulted in a funding shortfall. The Administration is seeking approval for a budget adjustment of \$829,374.24.

RECOMMENDATION

That the Standing Policy Committee on Transportation recommend to City Council:

1. That \$224,000 of funding be returned to the reallocation pool from Capital Project #2405 – Idylwyld Drive and Circle Drive Interchange;
2. That \$260,000 of funding be returned to the Transportation Infrastructure Expansion Reserve from Capital Project #2428 – Functional Planning Studies; and
3. That the total of \$829,374.24 be allocated to Capital Project #2266 – Highway 16 and 71st Street Intersection Upgrades as follows:
 - a) \$44,374.24 from the Transportation Infrastructure Reserve;
 - b) \$455,000.00 from the Transportation Infrastructure Expansion Reserve;
 - c) \$106,000.00 from the Traffic Safety Reserve; and
 - d) \$224,000.00 from the Reallocation Funding Pool.

BACKGROUND

As part of the boundary alteration proposal approved by City Council, at its meeting held on June 23, 2014, the City of Saskatoon (City) took over responsibility for the intersection of Highway 16 and 71st Street including the RM of Corman Park's financial responsibility for improvements. City Council, at its meeting held on September 29, 2014, approved that the City enter into an agreement with the Ministry of Highways and Infrastructure to take over operational jurisdiction of Highway 16 from the current city limits up to and including the intersection of 71st Street. The project has previously received funding totalling \$5,670,000 to complete the improvements.

Construction was declared substantially complete in late May 2018. It was understood by the Administration that several partners were to participate in funding the project and every effort to collect was undertaken; however, the project has resulted in a deficit funding position of \$829,374.24.

DISCUSSION/ANALYSIS

The Administration has completed a comprehensive review of existing capital projects in order to identify projects that can have funding returned to source in order to offset the current deficit in Capital Project #2266. Approximately \$345,375 has been returned to

original source reserves as these projects have been completed and were in surplus positions.

In addition, the Administration has identified and recommended that Capital Project #2405 and #2428 return \$484,000 of funding to source to reallocate towards Capital Project #2266 deficit position. As these returns could be interpreted as a change in scope under Council Policy C03-036, Multi-Year Business Plan and Budget, City Council approval is being sought. An overview of the projects requiring City Council approval are outlined below.

Capital Project #2405 – Idylwyld Drive and Circle Drive Interchange

This project addressed anticipated adjustments of the Idylwyld Drive and Circle Drive interchange required due to completion of the Circle Drive South project. In 2011-2012, \$290,000 was provided from the Reallocation Pool and \$33,000 was provided from the Urban Connector Program. A functional planning study for this interchange was completed in 2012. This study indicated no immediate interim improvements were required; however, the Administration plans to review this interchange location again in consideration of a future interchange at Circle Drive and Airport Trail, and with a change in traffic patterns due to the existing Chief Mistawasis Bridge and future Saskatoon Freeway. This future review is planned in 2022 and would be funded by a future capital project.

Administration recommends that funding of \$224,000 be returned to the Reallocation Funding Pool (RFP) and the project closed.

Capital Project #2428 – Functional Planning Studies

This project is for ongoing identification of future transportation needs and the preparation of functional planning studies. In 2017, funding of \$200,000 was provided to complete the functional planning study of the Highway 16 and Highway 11 cloverleaf interchange. In 2018, funding of \$200,000 was provided to complete the functional planning study of Circle Drive between Clancy Drive and Laurier Drive. This work is ongoing and will be completed in late 2019. In 2019, funding of \$200,000 was provided with the intent of completing a functional planning study of Circle Drive from north of Laurier Drive to north of Airport Drive; however, this work will not start in 2019 due to staff capacity limits. The Administration plans on including \$200,000 for this project in the 2020 and 2021 budget; therefore, the Circle Drive from north of Laurier Drive to north of Airport Drive functional planning study will be completed in 2020.

Administration recommends that funding of \$260,000 be returned to the Transportation Infrastructure Expansion Reserve (TIER).

Capital Project #2266 – Highway 16 and 71st Street Intersection Upgrades

This capital project has a deficit funding position of \$829,374.24.

Request for Budget Adjustment – Capital Project #2266 – Highway 16 and 71st Street Intersection Upgrades

Administration recommends that:

1. Funding of \$44,374.24 be allocated from the Transportation Infrastructure Reserve (TIR);
2. Funding of \$455,000 be allocated from TIER;
3. Funding of \$106,000 be allocated from the Traffic Safety Reserve (TSR); and
4. Funding of \$224,000 be allocated from RFP to allow for closure of this project.

IMPLICATIONS

There is no overall net financial implication as the funding returned to source and recommended to be returned to source are equivalent to the allocation to Capital Project #2266 to cover the current shortfall. A summary of the financial implications are summarized in the table below:

Capital Project #	Details	Action	Amount
n/a	Existing Funding in TIR	n/a	(\$44,374.24)
n/a	Existing Funding in TIER	n/a	(\$195,000.00)
n/a	Existing Funding in TSR	n/a	(\$106,000.00)
2405	Idylwyld Drive and Circle Drive Interchange	Return to RFP	(\$224,000.00)
2428	Functional Planning Studies	Return to TIER	(\$260,000.00)
2266	Highway 16 and 71st Street Intersection Upgrades	Re-Allocate from TIR	\$44,374.24
		Re-Allocate from TIER	\$455,000.00
		Re-Allocate from TSR	\$106,000.00
		Re-Allocate from RFP	\$224,000.00
Resulting financial impact to programs or reserves			\$0.00

NEXT STEPS

Upon approval, the Administration will proceed with the transfer of funds and close the project.

Report Approval

Written by: Jay Magus, Director of Transportation

Reviewed by: Jason Turnbull, Senior Financial Business Partner, Corporate Financial Services

Approved by: Terry Schmidt, General Manager, Transportation & Construction Department

Admin Report - Hwy 16_71 St Intersection Upgrades-Request for Budget Adjustment.docx



GOVERNANCE AND PRIORITIES COMMITTEE

2020 Annual Appointments – Boards, Commissions and Committees

Recommendation of the Committee

That the recommended appointments to Boards, Commissions and Committees and any further direction, as noted by the City Clerk and attached to this report, be approved.

History

Each year, the City of Saskatoon invites applicants to apply to serve on its various boards and committees. Advertising was placed in the local newspaper on September 14 and 16, 2019, as well as on the City's website, supplemented by social media. Posters and postcards were distributed to the Saskatoon Public Libraries, civic facilities and various educational institutions and locations in City Hall. Applications were accepted online until October 4, 2019. The attached recommendations are for City Council's consideration.

Attachment

Recommendations of the Governance and Priorities Committee - 2020 Annual Appointments to Boards, Commissions and Committees

2020 Annual Appointments to Boards, Commissions and Committees (File No. CK. 225-1 x 175-1)

Recommendations from the Governance and Priorities Committee (October 21 and November 12, 2019) to City Council November 18, 2019

Diversity, Equity and Inclusion Advisory Committee (DEIAC) (File No. CK. 225-83)

1. That the following be appointed to the Diversity, Equity and Inclusion Advisory Committee to the end of 2021:
 - Ms. Connie Masuskapoe, Ministry of Social Services
 - Mr. Howard Sangwais, Ministry of Corrections & Policing; and
2. That the City Clerk repost for the one vacancy on the Committee (Métis Community representative).

Municipal Heritage Advisory Committee (File No. CK. 225-18)

1. That the following be reappointed to the Municipal Heritage Advisory Committee to the end of 2021:
 - Mr. Michael Williams, Saskatoon Archaeological Society
 - Mr. Alan Otterbein, Meewasin Valley Authority
 - Ms. Stevie Horn, Saskatoon Public Library Local History Room
 - Mr. Brendan Wehrkamp, Saskatoon Region – Association of Realtors Inc.
 - Ms. Sarah Marchildon, Downtown Business Improvement District
 - Tara Janzen
 - Cera Youngson; and
2. That the City Clerk repost for the three remaining vacancies on the Committee (one Youth and two First Nations or Métis Community representatives).

Public Art Advisory Committee (File No. CK. 175-58)

That the City Clerk repost for the one vacancy on the Committee (First Nations or Métis Community representative).

Saskatoon Accessibility Advisory Committee (File No. CK. 225-70)

1. That Mr. Bill Lehne be reappointed to the Saskatoon Accessibility Advisory Committee to the end of 2021; and
2. That the City Clerk repost for the four vacancies on the Committee (one Youth and three Citizens).

Saskatoon Environmental Advisory Committee (File No. CK. 175-9)

That the following be (re)appointed to the Saskatoon Environmental Advisory Committee to the end of 2021:

- Mr. Matthew Shumaker, Saskatchewan Health Authority
- Ms. Sara Harrison
- Ms. Kira Judge

- Ms. Kathryn Palmer
- Ms. Anita Masse
- Mr. John Paul Wasan

Albert Community Centre Management Committee (File No. CK. 225-27)

1. That the following be reappointed to the Albert Community Centre Management Committee for 2020:
 - Councillor Cynthia Block
 - Mr. Garry Ayotte
 - Ms. Elizabeth Gueguen
 - Ms. Lisa Kirkham, Varsity View Community Association
 - Mr. Grant Whitecross, Nutana Community Association
 - Mr. Dean Boyle, City employee designate; and
2. That the City Clerk repost for the one vacancy on the Committee.

Civic Naming Committee (File No. CK. 225-66)

That the following be reappointed to the Civic Naming Committee for 2020:

- Councillor Troy Davies
- Councillor Bev Dubois
- Councillor Ann Iwanchuk

Corman Park-Saskatoon District Planning Commission (File No. CK. 175-10)

That the following be reappointed to the Corman Park-Saskatoon District Planning Commission for 2020:

- Councillor Zach Jeffries
- Councillor Bev Dubois
- Mr. Bruce Richet
- Mr. Brad Sylvester; and
- Mr. John Waddington, Joint Appointee

Marr Residence Management Board (File No. CK. 225-52)

1. That Councillor Cynthia Block be appointed to the Marr Residence Management Board for 2020;
2. That the following be (re)appointed to the Marr Residence Management Board to the end of 2021:
 - Mr. Michael Boyko
 - Ms. Della Marshall, Saskatoon Heritage Society
 - Ms. Caroleen Wright, Nutana Community Association; and
3. That the City Clerk repost for the three vacancies on the Board.

Municipal Planning Commission (File No. CK. 175-16)

1. That Councillor Mairin Loewen be reappointed to the Municipal Planning Commission for 2020; and
2. That the following be reappointed to the Municipal Planning Commission to the end of 2021:

- Ms. Diane Bentley
 - Ms. Donna Fracchia
 - Mr. Greg White
 - Mr. Stan Laba, Board of Education for Saskatoon Public Schools; and
3. That the City Clerk repost for the three vacancies on the Commission.

**Social Services Subcommittee - Assistance to Community Groups:
Cash Grants Program (File No. CK. 225-2-4)**

That the following be reappointed to the Social Services Subcommittee for 2020:

- Mr. Om Kochar, Citizen
- Ms. Janet Simpson, Board of Education for Saskatoon Public Schools
- Mr. Brad Bird, United Way
- Mr. Peter Wong, Ministry of Social Services

Board of Police Commissioners (File No. CK. 175-23)

That the following be reappointed to the Board of Police Commissioners for 2020:

- Councillor Randy Donauer
- Councillor Mairin Loewen

Citizen (re)appointments will be considered at the December meeting.

**Remai Modern Art Gallery of Saskatchewan and Saskatoon Gallery and
Conservatory Corporation (Mendel Art Gallery) Board of Trustees (File No. CK.
175-27)**

That the following be reappointed to the Remai Modern Art Gallery of Saskatchewan and Saskatoon Gallery and Conservatory Corporation (Mendel Art Gallery) Board of Trustees for 2020:

- Councillor Cynthia Block
- Councillor Mairin Loewen

Citizen (re)appointments will be considered at the December meeting.

Saskatoon Public Library Board (File No. CK. 175-19)

That Councillor Hilary Gough be reappointed to the Saskatoon Public Library Board for 2020.

Citizen (re)appointments will be considered at the December meeting.

**Saskatchewan Place Association Inc. (SaskTel Centre) Board of Directors (File
No. CK. 175-31)**

That the following be reappointed to the Saskatchewan Place Association (SaskTel Centre) Board of Directors for 2020:

- Councillor Troy Davies
- Councillor Ann Iwanchuk

Citizen (re)appointments will be considered at the December meeting.

Centennial Auditorium & Convention Centre Corporation (TCU Place) Board of Directors (File No. CK. 175-28)

That the following be reappointed to the Centennial Auditorium & Convention Centre Corporation (TCU Place) Board of Directors for 2020:

- Councillor Bev Dubois
- Councillor Zach Jeffries

Citizen and Administrative (re)appointments will be considered at the December meeting.

Board of Revision / License Appeals Board (File Nos. CK. 175-6 and 175-56)

That the following be reappointed to the Board of Revision and License Appeals Board for 2020:

- Mr. Adrian Deschamps
- Mr. Marvin Dutton
- Mr. Randy Pangborn
- Mr. Asit Sarkar
- Ms. June Bold
- Mr. Cameron Choquette
- Mr. Satpal Viridi
- Ms. Lois Lamon
- Ms. Karishma Sheth
- Ms. Madasan Yates

Development Appeals Board (File No. CK. 175-21)

That the following be reappointed to the Development Appeals Board to the end of 2021:

- Mr. Len Kowalko
- Ms. Lois Lamon
- Ms. Tonii Lerat
- Mr. Asit Sarkar
- Ms. Leanne DeLong

Property Maintenance Appeals Board / Fire Appeals Board / Private Swimming Pools Appeals Board / Environmental Management Appeals Board (File Nos. CK. 225-54 and 175-52)

That the following be reappointed to the Property Maintenance Appeals Board, Fire Appeals Board, Private Swimming Pools Appeals Board, and Environmental Management Appeals Board to end of 2021:

- Mr. Michael Brockbank
- Mr. Donald Stiller
- Mr. Dan Wiks

**33rd Street Business Improvement District Board of Management
(File No. CK. 175-59)**

That Councillor Hilary Gough be appointed to the 33rd Street Business Improvement District Board of Management for 2020.

**Broadway Business Improvement District Board of Management
(File No. CK. 175-47)**

That Councillor Cynthia Block be reappointed to the Broadway Business Improvement District Board of Management for 2020.

Downtown Business Improvement District (Downtown Saskatoon) Board of Management (File No. CK. 175-48)

That Councillor Cynthia Block be reappointed to the Downtown Saskatoon Board of Management for 2020.

**Riversdale Business Improvement District Board of Management
(File No. CK. 175-49)**

That Councillor Ann Iwanchuk be appointed to the Riversdale Business Improvement District Board of Management for 2020.

**Sutherland Business Improvement District Board of Management
(File No. CK. 175-50)**

That Councillor Zach Jeffries be reappointed to the Sutherland Business Improvement District Board of Management for 2020.

Federation of Canadian Municipalities National Board of Directors and Standing Committees (File No. CK. 155-2)

1. That Councillors Darren Hill and Mairin Loewen be nominated to put their names forward for election to the Federation of Canadian Municipalities National Board of Directors for 2020; and
2. That all City Councillors be nominated to apply for appointment to the Federation of Canadian Municipalities Standing Committees.

International Council for Local Environmental Initiatives - Local Governments for Sustainability (ICLEI) (File No. CK. 155-22)

That Councillor Sarina Gersher be nominated for reappointment as Saskatoon City Council's representative on the International Council for Local Environmental Initiatives for 2020.

Leadership in Brownfield Renewal Program (LiBRe) (File No. CK. 155-2)

That Councillor Sarina Gersher be reappointed Saskatoon City Council's Brownfields Champion for 2020.

Meewasin Valley Authority - City Representatives (File No. CK. 180-6)

That the following be reappointed as Meewasin Valley Authority – City Representatives for 2020:

- Councillor Bev Dubois
- Councillor Sarina Gersher
- Councillor Zach Jeffries

North Central Transportation Planning Committee (File No. CK. 155-10)

That the City of Saskatoon continue to maintain its membership without active membership on the Committee for 2020.

Partners for the Saskatchewan River Basin (File No. CK. 225-64)

That Ms. Twyla Yobb, Environmental Protection Manager, be nominated for reappointment to the Partners for the Saskatchewan River Basin for 2020.

Regional Oversight Committee (File No. CK. 225-82)

That the following be reappointed to the Regional Oversight Committee for 2020:

- Mayor Charlie Clark
- Councillor Randy Donauer
- Councillor Zach Jeffries

Saskatchewan Assessment Management Agency (SAMA) - City Advisory Committee (File No. CK. 180-11)

That the following be nominated for reappointment to the Saskatchewan Assessment Management Agency – City Advisory Committee for 2020:

- Councillor Bev Dubois
- Ms. Darcy Huisman, City Assessor, Corporate Revenue
- Mr. Mike Voth, Director of Corporate Revenue (Observer)

Saskatchewan Urban Municipalities Association (SUMA) Board of Directors – City Representatives (File No. CK. 155-3)

That the following be nominated for reappointment to the Saskatchewan Urban Municipalities Association Board of Directors for 2020:

- Councillor Randy Donauer
- Councillor Darren Hill
- Councillor Bev Dubois (Alternate)

Saskatoon Airport Authority (File No. CK. 175-43)

Citizen appointment will be considered at the December meeting.

Saskatoon Housing Initiatives Partnership (SHIP) (File No. CK. 155-1)

That Councillor Hilary Gough be nominated for reappointment to the Saskatoon Housing Initiatives Partnership for 2020.

Saskatoon Ideas Inc. Board of Directors (File No. CK. 600-3)

That Councillor Sarina Gersher be appointed to the Saskatoon Ideas Inc. Board of Directors for 2020.

Saskatoon Prairieland Exhibition Corporation - City Representatives (File No. CK 175-29)

That Councillor Mairin Loewen be nominated for appointment to the Saskatoon Prairieland Exhibition Corporation for 2020.

Saskatoon Regional Economic Development Authority (File No. CK. 175-37)

That the following be nominated for (re)appointment to the Saskatoon Regional Economic Development Authority for 2020:

- Councillor Sarina Gersher
- Councillor Darren Hill

South Saskatchewan River Watershed Stewards Inc. (File No. CK 225-1)

That Councillor Randy Donauer be confirmed to continue as the City's nominee to the South Saskatchewan River Watershed Stewards for 2020.

Tourism Saskatoon Board of Directors (File No. CK. 175-30)

That the following be nominated for reappointment to the Tourism Saskatoon Board of Directors for 2020:

- Councillor Bev Dubois
- Councillor Ann Iwanchuk

Wanuskewin Heritage Park Board of Directors (File No. CK. 175-33)

That Councillor Hilary Gough be appointed to the Wanuskewin Heritage Park Board of Directors for 2020.

Saskatoon Fire Fighters' Pension Plan Trustees (New Plan) (File No. CK. 175-61)

That Councillor Bev Dubois be reappointed Trustee for the Saskatoon Fire Fighters' Pension Plan (New Plan) for a term expiring December 31, 2022.



GOVERNANCE AND PRIORITIES COMMITTEE

City Council Strategic Priorities

Recommendation of the Committee

That the *City Council Strategic Priority & Leadership Initiative Policy* attached as Appendix 2 to the report of the City Solicitor dated November 12, 2019, be adopted.

History

The Governance and Priorities Committee, at its meeting held on November 12, 2019, considered a report of the City Solicitor regarding the above.

Attachment

Report of the City Solicitor dated November 12, 2019

City Council Strategic Priorities

ISSUE

This report provides an updated version of a draft policy entitled *City Council Strategic Priority & Leadership Policy* for the Governance and Priorities Committee's (GPC) consideration in accordance with its instructions of October 21, 2019.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that it adopt the *City Council Strategic Priority & Leadership Initiative Policy* attached to this report as Appendix 2.

BACKGROUND

GPC considered a report from the City Solicitor, linked [here](#), at its public meeting held on October 21, 2019, and resolved as follows:

- “1. That the policy matter be referred back to the Administration for further review, and as part of the review, the Administration include review of the revisions proposed in Councillor Gough's foregoing motion as well as clarification with respect to the discussion on limitations and authority, timing of approval, budget, Councillor Assistants' time allocation to project, communications standards, potential for an Administrative vetting process to ensure alignment with City's strategic direction, retroactive applications, and segregation with Communication and Constituency Relations Allowance; and
2. That a report be forwarded to City Council recommending Councillors Loewen and Gersher be approved for up to \$4,350 from the Strategic Priority Fund for the project as presented and report back in writing to the Governance and Priorities Committee following the event outlining the results of the engagement.”

For ease of reference, an excerpt of the October 21, 2019 GPC minutes outlining Councillor Gough's motion is attached to this report as Appendix 1.

DISCUSSION/ANALYSIS

In accordance with GPC's instructions, we are pleased to provide an updated version of the *City Council Strategic Priority & Leadership Initiative Policy*, which is attached to this report as Appendix 2 for GPC's consideration. This version of the Policy incorporates the various comments heard by the Administration, and resolved by GPC at its October 21, 2019 meeting by:

- More clearly outlining the role and authority of Council Member Leads.

- More clearly outlining that Council Member Leads may not direct City staff unless City Council has approved a project and only if the City Manager or their delegate has provided their permission. This paragraph of the Policy would also apply to the Councillor Assistants.
- More clearly outlining the reporting and approval process for projects.
- Clarification of communication standards to be followed by the Council Member Leads undertaking engagement.
- Further clarifying the process to access the Strategic Priority Fund, including the addition of further detail in the application form (i.e. a blank in the form to include a detailed budget for the project).
- Further clarification of how the Strategic Priority Fund is distinctive from the Communications and Constituency Relations Allowance.

Councillor Assistants' Time

A specific limit on Councillor Assistants' time was not placed in the Policy to allow for some flexibility. It is intended that use of Councillor Assistants' time would be covered by section 6 of the Policy. The City Clerk can assess the Councillor Assistants' work load and make appropriate direction.

Retroactive Applications to the Strategic Priority Fund

Retroactive applications will not be permitted upon final passage of the Policy. Allowing for retroactive applications in the Policy seems contradictory to the intention that Council Member Leads are spokespersons for Council and that the projects must be approved by City Council.

However, since the Policy is only being brought forward now, Council members who undertook projects that would have fit under this Policy during this term of Council, and prior to passage of the Policy, may apply to Council to be reimbursed for any expenditures using the attached application form. City Council could approve these applications outside of the Policy in the same manner as the request made by Councillor Gersher and Councillor Loewen at the October 21, 2019 GPC meeting.

IMPLICATIONS

There are no financial, social, legal or environmental implications identified.

NEXT STEPS

If the *City Council Strategic Priority & Leadership Initiative Policy* meets with GPC's approval, it must be sent to City Council for final adoption. If the Policy is adopted, the City Clerk's Office would undertake the necessary steps for its implementation.

APPENDICES

1. Excerpt of Minutes – Governance and Priorities Committee – October 21, 2019
2. Draft *City Council Strategic Priority & Leadership Initiative Policy*

Report Approval

Written & Approved by: Cindy Yelland, City Solicitor
Reviewed by: Joanne Sproule, City Clerk
Jeff Jorgenson, City Manager

Admin Report - City Council Strategic Priorities.docx
Our File 133.0024

**PUBLIC RESOLUTION
GOVERNANCE AND PRIORITIES COMMITTEE**

Main Category: 7. ADMINISTRATIVE AND LEGISLATIVE REPORTS

Sub-Category: 7.2 Approval Reports

Item: 7.2.2 City Council Strategic Priorities (File No. CK. 116-0 x 116-1)

Date: October 21, 2019

Any material considered at the meeting regarding this item is appended to this resolution package.

Report of the City Clerk:

"A report of the City Solicitor is attached (*Revised Appendix 1*). Also attached is an email from Councillor Gersher dated October 15, 2019 submitting an application for funding from the Strategic Priority Fund."

City Solicitor Yelland presented the report. She answered questions of the Committee along with City Manager Jorgenson, noting the funding is in place in the absence of policy; therefore, the application could be considered at this meeting.

Discussion ensued around the draft policy and criteria within the application form.

A three-minute recess was held at 4:43 pm during consideration of the item.

Moved By: Councillor Gersher

That the Governance and Priorities Committee recommend to City Council that it adopt the *City Council Strategic Priority & Leadership Initiative Policy* attached as Appendix 1 to the report of the City Solicitor dated October 21, 2019.

Moved By: Councillor Gough

1. That the following be added at the end of Section 7: "Council Member Leads must follow the strategic direction of City Council or the City when engaging with stakeholders or undertaking an activity or project. Council Member Leads cannot commit the City to a future direction in their designated Strategic Priority Area without City Council approval."; and
2. That Schedule "A" be amended to read: "1. Community Safety and Wellbeing. City Council is prioritizing an integrated and effective system of services to promote community safety and wellbeing."

IN REFERRAL

Moved By: Councillor Dubois

That the policy matter be referred back to the Administration for further review, and as part of the review, the Administration include review of the revisions proposed in Councillor Gough's foregoing motion as well as clarification with respect to the discussion on limitations and authority, timing of approval, budget, Councillor Assistants' time allocation to project, communications standards, potential for an Administrative vetting process to ensure alignment with City's strategic direction, retroactive applications, and segregation with Communication and Constituency Relations Allowance.

In Favour (10): Mayor Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, and Councillor Loewen
Against (1): Councillor Gersher

CARRIED

Moved By: Councillor Gough

That a report be forwarded to City Council recommending Councillors Loewen and Gersher be approved for up to \$4,350 from the Strategic Priority Fund for the project as presented and report back in writing to the Governance and Priorities Committee following the event outlining the results of the engagement.

In Favour (11): Mayor Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, and Councillor Loewen

CARRIED UNANIMOUSLY

CITY OF SASKATOON COUNCIL POLICY

 NUMBER

POLICY TITLE <i>City Council Strategic Priority & Leadership Initiative</i>	ADOPTED BY: <i>City Council</i>	EFFECTIVE DATE
		UPDATED TO
ORIGIN/AUTHORITY <i>City Council Resolution of April 24, 2017; City Council Resolution of November 27/28, 2017 (Business Plan & Budget Deliberations)</i>	CITY FILE NO.	PAGE NUMBER

1. POLICY STATEMENT/ PREAMBLE

City Council has adopted a new approach to leadership. In doing so, it has identified and approved ten (10) Strategic Priority Areas. It has designated a Council Member Lead for each Strategic Priority Area to undertake a leadership role to address certain challenges facing the City of Saskatoon and the community. This new approach empowers Council Members to take leadership roles with respect to Projects in their Priority Areas.

2. PURPOSE

The purpose of this Policy is to establish:

- a) A designation process for Council Member Leads to the Strategic Priority Areas;
- b) The role and limits of authority for the Council Member Leads;
- c) A reporting procedure for Council Member Leads to report to City Council with respect to their designated Strategic Priority Area;
- d) A fund to be accessed by Council Member Leads in relation to their identified Strategic Priority Areas; and

CITY OF SASKATOON COUNCIL POLICY

NUMBER

POLICY TITLE	EFFECTIVE DATE	UPDATED TO	PAGE NUMBER
<i>City Council Strategic Planning & Leadership Initiative</i>			<i>2 of 9</i>

- e) An approval process for Council Member Leads to access funding in relation to special Projects they wish to undertake pursuant to their Strategic Priority Areas, including the establishment of parameters for special working groups.

3. DEFINITIONS

- 3.1 “Council Member Lead” means the member(s) of Council designated as the lead in a Strategic Priority Area.
- 3.2 “Governance and Priorities Committee” means the Committee established pursuant to section 76 of City of Saskatoon Bylaw 9170, *The Procedures and Committees Bylaw, 2014*.
- 3.3 “Projects” means engagement with stakeholders, activities, actions, meetings, forums or other initiatives.
- 3.4 “Strategic Priority Areas” means the set of issues, services, or program areas as established in this Policy and described in Schedule “A”.
- 3.5 “The Strategic Priority Fund” means the capital project fund that City Council may approve or allocate, from time to time, that is specifically related to financing projects related to Strategic Priority Areas as established by this Policy.

4. ESTABLISHING STRATEGIC PRIORITY AREAS

City Council may complete a strategic planning exercise on a four (4) year cycle to establish City Council’s four (4) year Strategic Priority Areas. The Strategic Priority Areas are as described on Schedule “A” to this Policy.

CITY OF SASKATOON COUNCIL POLICY

NUMBER

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5. DESIGNATION OF COUNCIL MEMBER LEADS

City Council may, by public resolution, designate Council Member Leads to each Strategic Priority Area. Such designations shall be made not later than one (1) year after the start of a new Council term. Subject to City Council approval, more than one (1) Council member may be designated to lead a Strategic Priority Area.

6. ROLE OF COUNCIL MEMBER LEADS

6.1 Council Authority

In accordance with *The Cities Act*, the City is required to act through City Council. City Council may exercise its powers by passing bylaws or resolutions. This Policy does not authorize a Council Member Lead to deviate from the provisions of *The Cities Act*. All Projects undertaken by the Council Member Lead must be approved by City Council in advance or be in accordance with the bylaws, resolutions, or direction of City Council.

6.2 Spokesperson

Council Member Leads are intended to act as a spokesperson and leader in their Strategic Priority Area. However, Council Member Leads are speaking on behalf of City Council, in relation to their designated Strategic Priority Area. Council Member Leads must follow the bylaws, resolutions or direction of City Council when engaging with stakeholders, undertaking Projects, or speaking on behalf of City Council.

6.3 Future Direction

In accordance with section 6.1, Council Member Leads cannot commit the City or Council to a future direction in their designated Strategic Priority Area.

CITY OF SASKATOON COUNCIL POLICY

NUMBER

POLICY TITLE	EFFECTIVE DATE	UPDATED TO	PAGE NUMBER
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6.4 Direction of City Staff

Council Member Leads are not permitted to direct City staff to undertake Projects in their Strategic Priority Area unless City Council approval has been given for the Project. In the event the Project has been approved by City Council, the use of City staff may be allowed with permission of the City Manager or designate.

6.5 Communications & Engagement

All communication from Council Member Leads shall follow the standards set by the City's Communications & Public Engagement Division.

7. REPORTING PROCEDURE

7.1 For Updates and Approval of Initiatives, Projects or Activities

7.1.1 Quarterly Updates

Council Member Leads may provide a verbal or written report to City Council through the Governance and Priorities Committee, on a quarterly basis, to provide a high-level update on the Projects in their Strategic Priority Area.

The first annual quarterly update may also include an outline of the:

- a) Outcome measures used for each Strategic Priority Area and associated Projects;
- b) Any established indicators which provide a basis for performance measurement in future reports; and
- c) Other strategic plans used in the Strategic Priority Area and the results thereof.

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7.1.2 Approval of Projects & Engagement

Council Member Leads must provide a written report to City Council through the Governance and Priorities Committee for the approval of Projects related to their designated Strategic Priority Area if City Council has not already approved the Project.

8. WORKING GROUPS

Council Member Leads may engage in a Project related to their designated Strategic Priority Area and may form special working groups to assist in a Project. Council Member Leads will be responsible for determining the mandate and the make-up of the special working groups. Special working groups may include: the Council Member Lead, members of the Administration, and any external stakeholders or partners the relevant Project may have. The working groups are subject to all other provisions of this Policy.

9. STRATEGIC PRIORITY FUND

9.1 Establishment

City Council hereby establishes the Strategic Priority Fund. The Strategic Priority Fund is separate and apart from the Communications and Constituency Relations Allowance established by Policy No. C01-027, *Communications and Constituency Relations Allowance*. The Strategic Priority Fund is intended to assist Council Member Leads in fulfilling their role as a spokesperson for Council with respect to approved Projects in their designated Strategic Priority Area. Council Member Leads should not apply to the Strategic Priority Fund instead of using their Communications and Constituency Relations Allowance where that fund would be more appropriate.

9.2 Unused Funds

Any unused monies advanced from the Strategic Priority Fund will be returned to the Fund at the completion of the Project.

CITY OF SASKATOON COUNCIL POLICY

NUMBER

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9.3 Applications

Council Member Leads will be able to apply to the Governance and Priorities Committee for funding from the Strategic Priority Fund for a Project related to their designated Strategic Priority Area.

9.4 Application Form

Council Member Leads will use the application form attached as Schedule “B” to apply for funding from the Strategic Priority Fund. The application form will set out, among other things:

- a) The sponsor(s) of the Project;
- b) The amount of money requested and a detailed budget of the Project;
- c) The purpose of the Project;
- d) The importance of the Project and how it advances the work within one (1) or more Priority Areas;
- e) The timeline of the Project;
- f) A list of external partners or stakeholders for the Project, including any funds/resources that have been allocated from the partner(s) or stakeholder(s) to the Project; and
- g) Any preliminary work already completed on the Project.

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9.5 City Clerk's Office

The City Clerk will provide updates at the Governance and Priorities Committee meetings outlined in subsection 7.1.1 of this Policy on the Projects that have already been funded in each Strategic Priority Area and the balance of the Strategic Priority Fund.

10. RESPONSIBILITIES

10.1 City Council

City Council shall be responsible for:

- a) Designating Council Member Leads to each Strategic Priority Area by public resolution;
- b) Reviewing and, where appropriate, approving any reports from Council Member Leads relating to their Strategic Priority Area;
- c) Reviewing the Strategic Priority Areas on an ongoing basis and, if appropriate, amending this Policy; and
- d) Reviewing and, where appropriate, approving amendments to this Policy.

10.2 Council Member Leads

Council Member Leads will be responsible for:

- a) Taking a role in stakeholder and citizen engagement in their designated Strategic Priority Area in accordance with section 6 of this Policy;
- b) Reporting to City Council for approval of Projects within their Strategic Priority Area;

CITY OF SASKATOON COUNCIL POLICY

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- c) Establishing any working groups that may be required in accordance with section 8 of this Policy;
- d) Providing quarterly written updates, as required, to City Council through the Governance and Priorities Committee on their designated Strategic Priority Area outlining the high-level activities and future plans within their Strategic Priority Area as outlined in subsection 7.1.1 of this Policy;
- e) Submitting applications to the Governance and Priorities Committee for approval of spending out of the Strategic Priority Fund relating to Projects approved by City Council, pursuant to section 9.4 of this Policy.

10.3 City Clerk's Office

The City Clerk's Office shall be responsible for:

- a) Reporting to the Governance and Priorities Committee as required pursuant to this Policy; and
- b) Administering the Strategic Priorities Fund and the process of applying to the Governance and Priorities Committee for funding.

10.4 Governance and Priorities Committee

The Governance and Priorities Committee shall be responsible for reviewing applications to the Strategic Priorities Fund and, where applicable, approving such applications.

Schedule “A”

Strategic Priority Areas City Council Term 2016 – 2020

City Council has resolved that the Strategic Priority Areas for the 2016-2020 Council term are as follows:

1 Community Safety and Wellbeing

City Council is prioritizing an integrated and effective system of services to promote community safety and wellbeing.

2 Core Services

City Council is prioritizing continued improvement on the efficacy of core public services to maximize the benefit for citizens and visitors in the City.

3 Economic Development

City Council is prioritizing strategic economic development that will position the City to succeed in a rapidly evolving 21st century global economy.

4 Environmental Sustainability

City Council is prioritizing the reduction of, among other things, greenhouse gas emissions from the boundaries of the City and the promotion of energy conservation, renewable energy and waste diversion.

5 Information Technology

City Council is prioritizing information technology as a means to improve citizens' interactions with the City and City operations through both short-term continuous improvement to existing systems and through long-term strategies.

6 Reconciliation, Inclusion and Diversity

City Council is prioritizing work to foster inclusive community, while promoting new paths towards greater partnerships, cooperation and respect among all citizens and visitors within the City.

7 Recreation, Culture and Leisure

City Council is prioritizing the development of recreation, culture and leisure to support the citizen health and enjoyment within the City, throughout all seasons.

8 Regional Planning

City Council is prioritizing the development of a vibrant, competitive and well planned region, built on partnerships with surrounding municipalities and First Nations and Métis groups.

9 Transportation

City Council is prioritizing the development of a mobility strategy that will serve our city and support enhanced transportation options.

10 Downtown Development

City Council is prioritizing creating the conditions to bring more people, jobs, stores, restaurants and amenities into the downtown area of the City.

Schedule “B”

APPLICATION FORM STRATEGIC PRIORITY FUND CITY COUNCIL STRATEGIC PLANNING & LEADERSHIP INITIATIVE

COUNCIL LEAD(S): Click here to enter text.

PROJECT TITLE: Click here to enter text.

PROJECT SPONSOR: Click here to enter text.

AMOUNT REQUESTED: Click here to enter text.

DATE OF APPLICATION: Click here to enter a date.

PROJECT DESCRIPTION

PURPOSE OF THE PROJECT: Click here to enter text.

HOW IT ADVANCES THE WORK WITHIN THE PRIORITY AREA(S): Click here to enter text.

PARTNER(S) INVOLVED: Click here to enter text.

FUNDING PROVIDED BY PARTNER(S): Click here to enter text.

DETAILED BUDGET OF THE PROJECT: Click here to enter text.

PRELIMINARY WORK COMPLETED: Click here to enter text.

COMPLETION TIMELINE: Click here to enter text.

OTHER: Click here to enter text.

City Clerk’s Office Use only:

The Governance and Priorities Committee considered this application at its meeting held on Click here to enter a date. and resolved:

“ _____ ”



GOVERNANCE AND PRIORITIES COMMITTEE

Time Limits for Debate on Motions in Committee Meetings

Recommendation of the Committee

1. That City Council implement Option 2, as described in the report of the City Manager dated November 12, 2019;
2. That *The Procedures and Committees Bylaw, 2014* be amended such that debate for items in the public session for the Governance and Priorities Committee of City Council be limited to five minutes per member; and
3. That the Administration report back on the process for the flow of the agenda items in comparable cities.

History

The Governance and Priorities Committee, at its meeting held on November 12, 2019, considered a report from the Administration regarding the above.

Attachment

Report of the City Manager dated November 12, 2019

Time Limits for Debate on Motions in Committee Meetings

ISSUE

The question of imposing a time limit for debate on motions in Committee meetings has been raised by members of City Council. What approach can City Council take to enhance its ability to debate the issues and make decisions?

BACKGROUND

History

On August 19, 2019, the Governance and Priorities Committee (GPC) dealt with an information report of the City Solicitor regarding an Inquiry of Councillor Hill related to procedural matters. During discussion of the matter, the question of imposing a five-minute time limit for debate on a motion in Committee meetings was raised. Administration committed to address the query as part of its review of potential amendments to *The Procedures and Committees Bylaw, 2014*.

The Leadership Governance Subcommittee (LTGS) provided a scan of procedures in other cities to the GPC at its meeting held on September 23, 2019, noting that the LTGS could produce a follow-up report outlining various options for consideration, should GPC be interested in recommending a change to the existing provisions for debate in Committee meetings. GPC subsequently resolved that the Administration report further on the matter of time limits for debate on motions in Committee meetings.

Current Status

Currently, *The Procedures and Committees Bylaw, 2014* does not restrict time for speaking on motions made during meetings of the Governance and Priorities Committee, or the Standing Policy Committees (SPCs). There is no limit to the number of times a member may speak to a question, and informal discussion of a subject shall be permitted when no motion has been made.

City of Saskatoon's Current Approach

The Procedures and Committees Bylaw, 2014 limits debate on motions during meetings of City Council only. No City Council member shall speak longer than five minutes on the same motion. The mover of the motion is given the first opportunity to speak and the mover is allowed a reply at the conclusion of the debate, which the reply shall not be longer than three minutes. City Council may, by a majority vote of the members present, allow any member to speak to the same motion more than once, or for longer than five minutes.

Approaches in Other Jurisdictions

A scan of the Cities of Calgary, Edmonton, Winnipeg, and Regina was undertaken. Both Calgary and Edmonton appear to have limitations around speaking. The City of Edmonton provides for a Councillor to ask questions or speak multiple times in relation to a single item for a maximum of five minutes each time. The City of Calgary states

that a member's debate, including questions to Administration, but not Administration's responses must not exceed five minutes on a main motion, three minutes on an amendment, and three minutes for the Member who moved the main motion to respond to questions during debate.

OPTIONS

This section of the report offers four options for consideration. With the exception of option 1, all the proposed options vary slightly from one another. That is, they all propose time limits, but they are limited by length and scope. The options in this section are evaluated on the basis of how well they support the City's governance system, and the discussion and development of public policy.

Option 1: Status Quo

This option proposes to keep the City of Saskatoon's current approach. That is, time limits for debate will be limited to City Council meetings. Debate at all other Committees would not be subject to any time limits.

There are no new implications resulting from this option. Public notice would not be required to implement this option.

Advantages:

- no disruption to current practices; and
- no bylaw changes required.

Disadvantages:

- potential for longer meetings and incomplete agendas;
- potential for debate to steer off topic; and
- potential for some to monopolize debate.

Option 2: Implement a Five-minute Time Limit for GPC

This option proposes to implement a five-minute time limit on debate for items on the public session of GPC meetings. This option would follow the City's approach to imposing time limits at City Council meetings. Because membership composition of GPC and City Council are the same, there is a natural synergy with this approach.

There are no financial implications for this option. However, an amendment to Bylaw 9170 would be required to make this change. Implementation of this option could occur as soon as the bylaw is amended. This option does require public notice as it amends City Council's procedure bylaw.

Advantages:

- minor change to current practice;
- largely follows similar approach used at City Council meetings; and
- potential for more efficient meetings and less need to rush through agenda items.

Disadvantages:

- could be perceived as a way to limit discussion and/scrutiny on subjects; and
- requires amendment to the bylaw.

Option 3: Implement a Ten-minute Time Limit for GPC

This option proposes to implement a ten-minute time limit on debate for items on the public session of GPC meetings. This option is unique to the City in that no other type of meeting has a ten-minute time limit. Moreover, no other jurisdiction studied for this report uses such a time limit.

There are no financial implications for this option. Legally, an amendment to Bylaw 9170 would be required to make this change. Implementation of this option could occur as soon as the bylaw is amended. This option does require public notice as it amends City Council's procedure bylaw.

Advantages:

- provides sufficient time for members to speak on a topic; and
- some potential for more efficient meetings and less need to rush through agenda items when compared to status quo.

Disadvantages:

- could be perceived as a way to limit discussion and/or scrutiny on subjects; and
- implements a change to the existing system.

Option 4: Implement a Five-minute Time Limit for GPC and the Standing Policy Committee Meetings

This option proposes to implement a five-minute time limit on debate for items on the public session of GPC meetings and all SPC meetings. This option largely follows the approach used in the City of Edmonton.

There are no financial implications for this option. Legally, an amendment to Bylaw 9170 would be required to make this change. Implementation of this option could occur as soon as the bylaw is amended. This option does require public notice as it amends City Council's procedure bylaw.

Advantages:

- potential for more efficient meetings and less need to rush through agenda items when compared to status quo;
- ensures consistency of approaches for all meeting types; and
- provides equitable opportunities for members to participate in debate.

Disadvantages:

- could be perceived as a way to limit discussion and/or scrutiny on subjects, especially at the SPC level; and
- requires amendment to the bylaw and thus change to existing practices.

RECOMMENDATION

That a report be forwarded to City Council recommending:

1. That City Council implement Option 4, as described in this report.
2. That *The Procedures and Committees Bylaw, 2014* be amended such that debate for items on the public session for all Committees of City Council be limited to five minutes per member.

RATIONALE

One of the primary functions of City Council is to govern the City by debating the issues and making decisions. To assist this process, City Council has established various Standing Committees to address and focus on topics within their respective mandates.

For example, GPC is akin to a planning and priorities committee. It's composed of all members of Council and focuses on broader corporate wide topics and City Council priorities.¹ This mandate means that GPC also discusses several matters in a private session (in-camera or closed) in accordance with provincial legislation and Bylaw 9170.

The structure, composition, and mandate of GPC can make it challenging to get through agenda items in a timely fashion. According to the 2017/18 City Council and Committee meeting statistics review, GPC met for just over 69 hours in 2017/18.² This accounted for 25 percent of total City Council and Committee meeting hours in that year. Although the share of GPC meeting hours has been declining in recent years, it has typically exceeded that of City Council meetings, where time limits of debate do exist. As a result, there is strong rationale to support limiting debate at public (and private if necessary) sessions of GPC to five-minutes per member, per agenda item, subject to a motion to waive rules under special circumstances.

SPCs focus on narrower mandates that address specifically defined policy matters. The four SPCs are composed of five Councillors, plus the Mayor who is an ex-officio member (meaning that the Mayor is automatically appointed by virtue of the office). These Committees often hear from stakeholders and subject matter experts as key inputs into the public policy making process.

¹ For a detailed description of the Committee's mandate consult Bylaw 9170, found at: <https://www.saskatoon.ca/sites/default/files/documents/city-clerk/bylaws/9170.pdf>

² For more details on this research, please see Governance Review – City Council and Committee Meeting Statistics – Second Edition, Revised Public Agenda, Governance and Priorities Committee. January 21, 2019. Found at: <https://pub-saskatoon.escribemeetings.com/Meeting.aspx?Id=1a6de365-57ce-4dc7-803f-b36eeecfef6f&Agenda=Merged&lang=English&Item=36>

According to research statistics from 2018, SPC meetings consumed between 22 and 40 total hours in a year depending on the Committee.³ Moreover, the four SPCs accounted for 45% of City Council and Committee meeting hours in 2017/18, an increase of about 20 percentage points since 2014/15. The data suggests that SPCs are dealing with more issues, with greater complexity, resulting in longer meeting times.

As a result, the Administration is recommending the implementation of a five-minute speaking limit for all Committees of City Council (specifically GPC and the SPCs). The primary reasons for proposing this approach are:

- It applies the same rules for all meetings (including City Council); thereby, increasing consistency and reducing any confusion.
- It provides equitable opportunities for members to participate in the debate. Members are less likely of weighing the merits of participating in debate versus trying to move through the meeting agenda.
- It provides a more efficient approach to managing agenda items.

ADDITIONAL IMPLICATIONS/CONSIDERATIONS

The City's governance structure allows City Council members to ask the Administration questions of clarity on reports that it submits. It is also permitted to ask stakeholders similar types of question on presentations or correspondence that they submit for the meeting to which the item is being addressed. This practice is in place so that City Council members can obtain necessary clarity before making a potential motion or debating the issue(s) on the meeting agenda. However, this practice is not formalized in Bylaw 9170.

At the October 21, 2019, GPC meeting, a procedural question was raised with respect to when motions can be made by Committee (or City Council) members. A Committee member attempted to make a motion while asking clarity questions from a stakeholder. The Chair instructed the member to hold off on the motion until after all questions to the Administration and stakeholders have been asked.

Subsequent to the GPC meeting, the Administration conducted research into the procedures and practices in other cities. For example, the procedure bylaws for both Calgary and Edmonton prescribe the process for the flow of agenda items at City Council and Committee meetings. They both, with minor variations, prescribe the process as follows:

- introduction of the item;
- administration and/or public presentation;
- questions of clarification from Members to Administration or stakeholders;
- motion for debate;
- debate of motion; and
- vote on the item.

³ See *ibid.*

Time Limits for Debate on Motions in Committee Meetings

Thus, if City Council members would like to clarify this process and remove the discretion from the Chair, an amendment to Bylaw 9170 could be made that enshrines this procedure in it. The amendment would be similar to the procedures prescribed in the bylaws of Calgary and Edmonton.

COMMUNICATION ACTIVITIES

If adopted, the proposed recommendations require an amendment to City Council's procedure bylaw. In accordance with City Council Policy No C01-021, the Public Notice Policy, public notice is required if the proposed recommendation is approved by City Council.

Report Approval

Written by: Mike Jordan, Chief of Public Policy & Government Relations
Joanne Sproule, City Clerk
Reviewed by: Cindy Yelland, City Solicitor
Approved by: Jeff Jorgenson, City Manager

Admin Report - Time Limits for Debate on Motions in Committee Meetings.docx

GOVERNANCE AND PRIORITIES COMMITTEE

Governance Review of Controlled Corporations – Governance Details and Engagement Results

Recommendation of the Committee

Board of Directors of Controlled Corporations (Appendix 2):

1. That it set a range for Board size of 6 to 15 Directors for each Controlled Corporation;
2. That two City Councillors be appointed to the Board of each Controlled Corporation;
3. That the Corporate Bylaws be amended to codify that a Director who also serves as a member of Council has the ability to report to City Council and the Governance and Priorities Committee *In Camera*;
4. That each Controlled Corporation adopt meeting procedures within 60 days of this resolution being passed by City Council;
5. That it limit meetings to occur within Saskatoon census metropolitan area; and
6. That the City Clerk's Office conduct mandatory Board Orientation with each of the Controlled Corporations on an annual basis.

Directors of the Controlled Corporations (Appendix 3):

That the appointment policy be maintained to reflect two-year appointments to a maximum of six consecutive years.

Committees of the Boards (Appendix 4)

1. That an Audit Committee be required to be established and that the Corporate Bylaws of the Controlled Corporations be amended to clarify that committees shall be advisory in nature only and that all decisions must be made by the Boards; and
2. That the determination of committee composition be left up to the Boards.

Management of the Controlled Corporations (Appendix 5)

1. That the Governance Subcommittee update the *Directors' Code of Conduct* and the *Directors' Anti-Harassment Policy* and that the new policies be provided to the Controlled Corporations for adoption;
2. That the Governance Subcommittee draft Financial/Transparency policies, a Respectful and Harassment-Free Workplace Policy, a Drug and Alcohol Policy, an Employee Code of Conduct and Conflict of Interest Policy, and any other policies as required, in consultation with the Controlled Corporations and that the new policies be provided to the Controlled Corporations for adoption;
3. That the Governance Subcommittee develop a list of other policies for consideration by the Controlled Corporation Boards;

GOVERNANCE AND PRIORITIES COMMITTEE

4. That services be provided to the Controlled Corporations only upon request and that Service Agreements be entered into for the provision of those services;
5. That a uniform CEO Recruitment Policy be drafted by the Governance Subcommittee and provided to the Controlled Corporations for adoption;
6. That the Corporate Bylaws of the Controlled Corporations be amended to require the establishment of a CEO Recruitment/Performance Committee for each Controlled Corporation;
7. That a City Councillor be appointed to the CEO Recruitment/Performance Committee for each Controlled Corporation;
8. That the City Solicitor negotiate a Memorandum of Understanding with each Controlled Corporation and bring each back to City Council for approval; and
9. That the City Solicitor negotiate an Operating Agreement with each Controlled Corporation and bring each back to City Council for approval.

History

The Governance and Priorities Committee, at its meeting held June 17, 2019 resolved to table a report of the Leadership Team Governance Subcommittee with respect to the Governance Review of Controlled Corporations – Governance Details, for consideration at its November meeting.

At its November 12, 2019 meeting, the Committee considered the tabled report along with an informational companion report outlining the engagement results.

City Solicitor Yelland presented the above reports and outlined each of the appendices' recommendations. She provided a PowerPoint presentation and Committee heard from representation of each of the controlled corporations.

Your Committee also resolved to strike a special subcommittee to which three recommendations of the Administration presented under Appendix 3 were referred to report back to City Council.

Attachments

1. Report of the Leadership Team Governance Subcommittee dated June 17, 2019
2. Report of the Leadership Team Governance Subcommittee dated November 12, 2019

Governance Review of Controlled Corporations – Governance Details

ISSUE

The City of Saskatoon has established non-profit controlled corporations to oversee the operations of three arts, culture and event facilities: Saskatchewan Place Association Inc. (“SaskTel Centre”), The Centennial Auditorium & Convention Centre Corporation (“TCU Place”) and The Art Gallery of Saskatchewan Inc. (“Remai Modern”) (collectively, the “Controlled Corporation(s)”). City Council has decided to continue with the Controlled Corporation model, but what additional changes are required to further refine the selected governance model?

BACKGROUND

2.1 History

At the February 13, 2017 meeting of the Governance and Priorities Committee (“GPC”), the Committee resolved:

"That the project parameters for the review of governance structures, models, practices and procedures of Advisory Committees, Controlled Corporations, Business Improvement Districts and any other agency, board or commission established by the City of Saskatoon be approved."

In Phase One of the governance review, the approved project parameters provided that the Leadership Team Governance Subcommittee (“Governance Subcommittee”) will provide recommendations respecting a general governance model for Controlled Corporations.

At GPC's June 18, 2018 meeting, GPC resolved to recommend to City Council that:

- "1. The City Non-Profit Controlled Corporation Approach (governing a single facility), as outlined in the report of the Leadership Team Governance Subcommittee dated March 19, 2018 and described as option 1a. under Governance Structure, be chosen as the governance model for the Controlled Corporations; [and]
 2. The Leadership Team Governance Subcommittee report further on next steps for implementation of the chosen governance model.
- ..."

At the Regular Business Meeting of City Council on June 25-26, 2018, City Council adopted GPC's recommendations. The relevant reports and attachments can be found at Item 8.5.2: [here](#) . City Council's direction is aligned with Phase Two reporting as described in the governance review approved project parameters, which provide that the Governance Subcommittee will provide recommendations respecting specific policy and bylaw amendments, in light of the general governance model selected.

Also referred to the Governance Subcommittee are a number of matters related to the Controlled Corporation review:

- At its Regular Business Meeting held on January 25, 2016, City Council resolved that:
“Would the Administration please report back to the appropriate committee regarding the possible implementation of an orientation process for new members of Civic boards, committees, and commissions.”
- At its Regular Business Meeting held on December 12, 2016, City Council resolved, in part:
“That the matter of proposed changes to The Art Gallery of Saskatchewan Inc. Articles and Bylaws be referred to the Leadership Team Governance Subcommittee for further review and report in time for the 2018 board appointments.”

The Remai Board had proposed changes including:

- Increasing the size of the Board from a maximum of 14 to 16 Directors.
- Permitting the Board to set the actual number of Directors within the specified range.
- Requiring that City Council appoint Directors from a list prepared by the Board.
- Permitting Board members to serve for longer than a six-year maximum.
- Creating a position of Director Emeritus.
- Providing for the ability of Board members to meet outside of Saskatoon city limits.
- Specifying the committees to be established by the Board and the ability to have non-Directors serve as members of a committee.
- Codifying that a Director who also serves as a member of City Council has the ability to report to City Council and GPC *In Camera*.

Finally, at the Preliminary Business Plan and Budget meeting of City Council held on November 26 and 27, 2018, City Council resolved in part:

- “3. That the Administration do a detailed review (requirements, what can be provided in-house, etc.) of the HR, IT, Finance, Legal and Indigenous Relations of the Controlled Corporations and Saskatoon Public Library Board for consideration by the Governance and Priorities Committee prior to 2020 Corporate Business Plan and Budget deliberations.”

2.2 Current Status

The City Administration is continuing the process of reviewing and proposing recommendations for potential improvements to the governance of the City of Saskatoon’s various Advisory Committees, Controlled Corporations, Business Improvement Districts (“BIDs”) and other agencies, boards and commissions.

The focus of this report is to provide recommendations for changes to the existing governance model of the City’s Controlled Corporations. Changes are intended to standardize processes and simplify Council’s management of the facilities while promoting accountability and transparency.

2.3 Engagement

In preparing this decision report and previous reports on the governance of the City’s Controlled Corporations, the City Administration engaged with the Board Chairs of the Controlled Corporations. The Board Chairs’ comments, attached to the previous report, also informed some of the recommendations in this report. In addition, an external consultant was retained to review the results of the Governance Subcommittee and provide input on a possible governance structure. This consultant may be engaged to provide further review and input as this discussion proceeds.

2.4 City of Saskatoon’s Current Approach

The City is the sole Member of each Controlled Corporation. Pursuant to section 88 of *The Non-Profit Corporations Act, 1995* (the “NPCA”), the Controlled Corporations are each governed by a Board of Directors, charged with managing the activities and affairs of the Corporation. In general, the Board of Directors consists of members of City Council and several volunteer members-at-large.

The Boards govern the Corporations according to the corporate purpose set out in the respective Articles of Incorporation, and within the parameters of the respective Articles and Corporate Bylaws more generally. The Boards report to City Council on financial statements, auditor’s reports, and any other business as may properly be brought

before an annual Member's meeting, such as consideration of any Articles or Bylaw amendments proposed by the Boards. Appointments to the Boards are the sole responsibility of City Council.

While similar, the internal governance structure of each of the City's Controlled Corporations has some nuances. For example, size and composition varies between the Boards. So too does the types and mandates of internal committees and the establishment and adoption of internal policies applicable to the Boards, CEOs and facilities' staff.

Appendix 1 provides a more detailed overview of the internal governance of the City's Controlled Corporations, including the size of the respective Boards, a list of each Board's committees. Appendix 1 also contains a general description of their mandate and composition, and a list of the policies that have been established by each Controlled Corporation.

2.5 Approaches in Other Jurisdictions

A summary of the various approaches used in other Canadian jurisdictions were described in a previous report, found: [here](#). In writing this report, the Governance Subcommittee reviewed *The Cities Act*, the NPCA, the internal policies, the Articles of Incorporation and the Corporate Bylaws of the Controlled Corporations. In addition to reviewing these sources, the Governance Subcommittee also reviewed the following other sources of information:

- Articles and bylaws of municipally controlled corporations in other jurisdictions.
- Statistic indexes of board sizes, compositions and policies in the private sector.
- International guidelines on corporate governance, including material specifically related to governance of state-owned enterprises.
- Guidelines on governance of crown corporations published by other Canadian provinces.
- Academic and other articles on board and committee size and composition.

OPTIONS

City Council has decided to retain the City non-profit, controlled corporation model as the method of governance for TCU Place, SaskTel Centre and the Rемаi Modern. Under this model, the Controlled Corporations are separate arms' length corporations and not City departments. However, as the sole Member of the Controlled Corporations, the City does retain ultimate control.

Governance of the City's Controlled Corporations is a complex topic and there are several different, yet interrelated issues to consider. The Governance Subcommittee

believes that it is important for City Council to understand the interplay of the different issues.

Thus, rather than splitting them into a series of separate reports, the Governance Subcommittee has included them in this report. However, in an effort to address the issues, the report and its accompanying appendices breaks them down into smaller, more understandable sections. More specifically the Governance Subcommittee has grouped appropriate decision areas together and attached them as separate documents to this report.

The following is an outline of this report and its accompanying appendices:

- Board of Directors of Controlled Corporations – Considerations and Options (Appendix 2):
 - Board Size.
 - Board Composition.
 - Board Meetings:
 - Meeting Procedures.
 - Meetings Outside City Limits.
 - Board Orientation.
- Directors of the Controlled Corporations – Considerations and Options (Appendix 3):
 - Appointment of Directors.
 - Residency of Directors.
 - Length of Appointment.
 - Board Recruitment.
- Committees of the Boards – Considerations and Options (Appendix 4):
 - Types of Committees.
 - Composition of Committees.
- Management of the Controlled Corporations – Considerations and Options (Appendix 5):
 - Adoption of Uniform Policies.
 - Directors' Code of Conduct and the Directors' Anti-Harassment Policy.
 - Adoption of Other Policies.
 - Sharing City Services.
 - City Council Oversight of CEO Appointments.
 - Establishing Roles and Responsibilities Between the City and the Controlled Corporations.
 - Memorandum of Understanding.
 - Operating Agreement.

With that context in mind, this report and its accompanying appendices evaluates various options and makes a series of recommendations that attempt to build upon and improve the current governance structure. The recommendations should be viewed as

a series of building blocks aimed at clarifying the relationship, roles and responsibilities of both the Controlled Corporations and the City. They also attempt to strike a balance between respecting the independence of the City's Controlled Corporations while maintaining the principles of transparency and accountability.

In making these recommendations, the Governance Subcommittee has been guided by the following principles, which were highlighted in the June 25, 2018 report:

- Provide a clear and transparent division of powers between City Council and the role and responsibilities of Board members, Board committees and officers of the Controlled Corporations.
- Ensure appropriate reporting structures and processes are in place to make decisions and direct and manage the activities and affairs of the Controlled Corporations.
- Establish mechanisms to achieve accountability between City Council, management and stakeholders, including creating policies to guide the culture of the Controlled Corporations and the behaviour of Board members, officers and other staff.

In order to assist City Council in making its decisions, this report provides a consolidated list of the recommendations:

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council:

Board of Directors of Controlled Corporations (Appendix 2):

1. That it set a range for Board size of 6 to 15 Directors for each Controlled Corporation (*Option 2: Establish a Consistent Range for Board Size Between Controlled Corporations, Issue #1: Board Size*).
2. That two City Councillors be appointed to the Board of each Controlled Corporation (*Option 2: Appoint Only Two Councillors, Issue #2: Board Composition*).
3. That the Corporate Bylaws be amended to codify that a Director who also serves as a member of Council has the ability to report to City Council and the Governance and Priorities Committee *In Camera* (*Option 2: Appoint Only Two Councillors, Issue #2: Board Composition*).
4. That each Controlled Corporation adopt meeting procedures within 60 days of this resolution being passed by City Council (*Meeting Procedures, Issue #3: Board Meetings*).
5. That it maintain the status quo and limit meetings to occur within Saskatoon city limits (*Option 1: Maintain the Status Quo and Limit Meetings to Occur Within Saskatoon City Limits, Meeting Outside City Limits, Issue #3: Board Meetings*).
6. That the City Clerk's Office conduct mandatory Board Orientation with each of the Controlled Corporations on an annual basis (*Issue #4: Board Orientation*).

Directors of the Controlled Corporations (Appendix 3):

1. That the appointments of Directors continue to be made by City Council in its sole discretion and the Corporate Bylaws of the Controlled Corporations be amended to make this clear (*Issue #1: Appointment of Directors*).
2. That the Corporate Bylaws and Policy No. C01-003, *Appointments to Civic Boards, Commissions, Authorities and Committees* be amended to allow each Controlled Corporation to have a maximum of two non-resident members but that the non-resident members not be allowed to vote on the annual budget (*Option 2: Allow Appointment of Two Non-Resident Board Members, Issue #2: Residency of Board Members*).
3. That the status quo of two-year appointments to a maximum of six consecutive years remain in place (*Issue #3: Length of Appointment*).
4. That the Board Recruitment Process remain status quo (*Issue #4: Board Recruitment*).

Committees of the Boards (Appendix 4)

1. That an Audit Committee be required to be established and that the Corporate Bylaws of the Controlled Corporations be amended to clarify that committees shall be advisory in nature only and that all decisions must be made by the Boards (*Option 1: Maintain Status Quo, Issue #1: Types of Committees*).
2. That the determination of committee composition be left up to the Boards (*Option 1: Maintain Status Quo, Issue #2: Composition of Committees*).

Management of the Controlled Corporations (Appendix 5)

1. That the Governance Subcommittee update the *Directors' Code of Conduct* and the *Directors' Anti-Harassment Policy* and that the new policies be provided to the Controlled Corporations for adoption (*Directors' Code of Conduct and the Directors' Anti-Harassment Policy, Issue #1: Uniform Policies*).
2. That the Governance Subcommittee draft Financial/Transparency policies, a Respectful and Harassment-Free Workplace Policy, a Drug and Alcohol Policy, an Employee Code of Conduct and Conflict of Interest Policy, and any other policies as required, in consultation with the Controlled Corporations and that the new policies be provided to the Controlled Corporations for adoption (*Issue #1: Uniform Policies*).
3. That the Governance Subcommittee develop a list of other policies to be drafted and adopted by the Controlled Corporation Boards (*Issue #1: Uniform Policies*).

4. That services be provided to the Controlled Corporations only upon request and that Service Agreements be entered into for the provision of those services. (*Issue #2: Sharing City Services*).
5. A uniform CEO Recruitment Policy be drafted by the Governance Subcommittee and provided to the Controlled Corporations for adoption (*Option 1: Requiring Establishment of a CEO Recruitment/Performance Committee for Each Controlled Corporation, Issue #3: City Council Oversight of CEO Appointments*).
6. The Corporate Bylaws of the Controlled Corporations be amended to require the establishment of a CEO Recruitment/Performance Committee for each Controlled Corporation (*Option 1: Requiring Establishment of a CEO Recruitment/Performance Committee for Each Controlled Corporation, Issue #3: City Council Oversight of CEO Appointments*).
7. A City Councillor be appointed to the CEO Recruitment/Performance Committee for each Controlled Corporation (*Option 1: Requiring Establishment of a CEO Recruitment/Performance Committee for Each Controlled Corporation, Issue #3: City Council Oversight of CEO Appointments*).
8. That the City Solicitor negotiate a Memorandum of Understanding with each Controlled Corporation and bring each back to City Council for approval (*Memorandum of Understanding, Issue #4: Establishing Roles and Responsibilities Between the City and the Controlled Corporations*).
9. That the City Solicitor negotiate an Operating Agreement with each Controlled Corporation and bring each back to City Council for approval (*Operating Agreement, Issue #4: Establishing Roles and Responsibilities Between the City and the Controlled Corporations*).

RATIONALE

The rationale for each recommendation is provided in the relevant section as outlined in the accompanying appendices.

ADDITIONAL IMPLICATIONS/CONSIDERATIONS

If the recommendations are adopted by City Council, further work will be required by the Governance Subcommittee, in consultation with other members of the City Administration and the Controlled Corporations, to draft:

- Corporate Bylaw amendments.
- Uniform policies.
- A Memorandum of Understanding with each Controlled Corporation.
- An Operating Agreement with each Controlled Corporation.
- Service Agreements, where the City Administration is being asked to provide services to Controlled Corporations.

Where necessary, these documents will be presented to City Council for approval.

COMMUNICATION ACTIVITIES

It is intended that this report be tabled until the November 2019 meeting of GPC. The Governance Subcommittee will offer to meet with each Board of the Controlled Corporations to get their feedback on the contents of the report. This feedback will be consolidated and brought back to the November 2019 meeting of GPC.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

APPENDICES

1. Overview of Current Internal Governance Structure - City of Saskatoon Controlled Corporations
2. Board of Directors of Controlled Corporations - Considerations and Options
3. Directors of the Controlled Corporations – Considerations and Options
4. Committees of the Boards – Considerations and Options
5. Management of the Controlled Corporations – Considerations and Options

Report Approval

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Overview of Current Internal Governance Structure City of Saskatoon Controlled Corporations

BOARD SIZE

Board	Size and Membership
The Art Gallery of Saskatchewan Inc. (Remai Modern)	<ul style="list-style-type: none"> Articles of Incorporation, section 4 Between 6 and 14 total Board Members Currently 14 Board Members, including at least 2 members of Council, the remaining being members of the public Appointed by Council
The Centennial Auditorium & Convention Centre Corporation (TCU Place)	<ul style="list-style-type: none"> Articles of Incorporation, section 5 Between 6 and 18 total Board Members Currently 13 Board Members, including at least 2 members of Council, the remaining being members of the public Currently the Mayor and City Manager sit on the Board Appointed by Council
Saskatchewan Place Association Inc. (SaskTel Centre)	<ul style="list-style-type: none"> Corporate Bylaws, section 4.12 12 Board Members, including the Mayor and 2 members of Council and no more than 9 members of the public Appointed by Council

COMMITTEES

Remai Modern

All of the terms of reference, which provide the source of information for the Remai Modern Board committees in the below chart are presently in draft form and have yet to be adopted.

The Board Committee Procedure Terms of Reference (the "General Committee Terms") sets the general rules regarding, among other things, committee membership, which rules apply unless modified by the terms of reference of a specific committee. The general rule is that each committee has a minimum of 3 and a maximum of 8 members, a majority of whom are Directors.

Committee	Purpose	Membership
Audit and Finance Committee	<p>Assist the Board in fulfilling its financial oversight responsibilities for Remai Modern, including overseeing the:</p> <p>(a) budgeting and financial reporting; (b) external audit; (c) internal controls; (d) financial risk management; (e) investments.</p>	<ul style="list-style-type: none"> • At least 3 Directors • A majority of the Directors on the Committee and a majority of the members of the Committee must not be officers • Members of the Committee cannot be employees of, nor be receiving any compensatory fee from, Remai Modern • Members must be financially literate, and at least 2 members must have accounting or financial expertise • At least 2 members must have investment experience or expertise if Remai Modern is managing an endowment fund
Collection Committee	Assist the Board in fulfilling its oversight responsibilities for Remai Modern's art collection by ensuring that appropriate policies exist and are practiced with respect to the management of the collection and acquisitions program.	<ul style="list-style-type: none"> • Majority may be non-Directors, but the Chair and Vice-Chair must be Directors
Executive Committee	Assist the Board in fulfilling its responsibility to set a strategic direction for Remai Modern and oversee the management of Remai Modern.	<ul style="list-style-type: none"> • Comprised of the Chair, Vice-Chair, Treasurer and Secretary of the Board
Governance Committee	Assist the Board in ensuring that it has effective governance procedures and follows best governance practices.	<ul style="list-style-type: none"> • Set by the General Committee Terms
Human Resources Committee	Assist the Board in fulfilling its responsibilities for overseeing the management of the Remai Modern's human resources.	<ul style="list-style-type: none"> • Set by the General Committee Terms

Committee	Purpose	Membership
Nominations Committee	Assist the Board in fulfilling its responsibility to ensure that Remai Modern is governed by high quality and diverse Directors by identifying nominees for election and re-election to the Board and by proposing the members and the chair for each committee to the Board.	<ul style="list-style-type: none"> • Comprised of the Chair, Vice-Chair, Treasurer and Secretary of the Board, and up to a maximum of 4 additional Directors, invited to join at the discretion of the Board officers

TCU Place

The information in the below chart is drawn from the Corporation's Board Governance Manual and the terms of reference appended thereto.

Committee	Purpose	Membership
Audit and Finance Committee	Responsible to provide oversight of the financial reporting process, the audit process, the system of internal controls and compliances with laws and regulations. It also oversees risk management.	<ul style="list-style-type: none"> • At least 3 Directors, of which 1 must be the Treasurer, who chairs the Committee • Must be an appropriate mix of accounting and auditing experience, and members must have received training on interpretation of the Corporation's financial statements • No one in a management position may be appointed • All members must be financially literate and understand financial statements and audit committee functions • Desirable that 1 member of the Committee have a professional designation

Committee	Purpose	Membership
Executive Committee	An advisory committee appointed by and accountable to the Board. The President may use the Executive Committee for advice between Board meetings. The Committee may make decisions of an urgent nature between Board meetings, but these decisions must be ratified by the Board at its next meeting.	<ul style="list-style-type: none"> • Comprised of the Chair, Vice-Chair, Secretary and Treasurer
Governance Committee	A standing committee appointed by and accountable to the Board. Assists the Board in developing its approach to governance and makes recommendations to the Board regarding the recruitment of new Board members.	<ul style="list-style-type: none"> • Comprised of at least 4 Board members
Futures Committee	Considers the future needs of the community with respect to a convention centre and performing arts theatre.	<ul style="list-style-type: none"> • Comprised of at least 4 Board members

SaskTel Centre

The information in the below chart is drawn from the respective terms of reference for each committee.

Committee	Purpose	Membership
Audit and Finance Committee	<p>To act as the Board's principal agent in fulfilling the Board's responsibilities with respect to:</p> <p>(a) the Corporation's financial reporting; (b) financial risk management; (c) a system of internal controls; (d) procedures for establishing compliance with regulatory requirements.</p>	<ul style="list-style-type: none"> • At least 3 Directors • Members must have a working familiarity with basic finance and accounting practices, and at least 1 member must have accounting or related financial management expertise

Committee	Purpose	Membership
Compensation Committee	Assist the Board in its fulfilling its responsibilities in respect of the compensation of SaskTel Centre senior management, and to produce an annual report to the Board on such matters or related matters.	<ul style="list-style-type: none"> • Minimum of 3 and maximum of 5 Directors
Governance Committee	To assist the Board in fulfilling its oversight responsibilities by developing and recommending to the Board a set of governance principles applicable to the Corporation.	<ul style="list-style-type: none"> • At least 3 Directors

POLICIES

Remai Modern

Board of Directors Conflict of Interest

Business Risk Management

Collection Policy *

Designated Funds & Prepaid Expenses

Ethical Guidelines *

Executive Director & CEO Travel

Exhibition & Public Program

New Director Orientation Policy

Procurement *

Relocation Costs - Compensation to New Employees *

TCU Place

Capital Budget Process

Debt

Investment

Nomination of Officers

Purchasing

Reserve Fund

Self-Sponsored/Co-Sponsored Events – Risk Limitations

Signage and Showcase

Use of External Auditor for Consultation

SaskTel Centre

Administrative
Advance Ticket Purchasing Privileges *
Board Policy
Cash Handling *
Charitable Donations and Community Support
Communication
Contra Sponsorship
Contract Management *
Director's Code of Ethics
Employee Conflict of Interest *
Event Booking and Marketing *
Event Ticket Sales *
Financial & Budget Reporting Standards
House Seats
Management and Staff Expense Accounts *
Management Compensation
Out-of-Scope Remuneration *
Permanent Displays
Political Advertisements
Privacy of Information *
Purchasing Policy *
Reserve Fund
Respectful Workplace *
Workplace Harassment *

(* Indicates an "operational" policy as opposed to a strictly "Board" or "Board and CEO" policy. Operational policies are those that directly govern decisions and behaviour below the CEO and Board level, though they may also govern Board and CEO matters. This distinction is not strict, and a reasonable argument could be made for changing the designations herein.)

Board of Directors of Controlled Corporations Considerations and Options

INTRODUCTION

This Appendix addresses various issues with respect to the Board of Directors of the City's Controlled Corporations:

- Board Size.
- Board Composition.
- Board Meetings:
 - Meeting Procedures.
 - Meetings Outside City Limits.
- Board Orientation.

More specifically, this Appendix attempts to address issues such as:

- What is the optimal size for the Board of Directors of the Controlled Corporations?
- What type and level of City representation should be on the Board of Directors of the Controlled Corporations?
- Should the Board of Directors for each Controlled Corporation have established meeting procedures?
- Should the Board of Directors for each Controlled Corporation be permitted to meet outside City limits?
- Should there be mandatory Board orientation on an annual basis for each Controlled Corporation?

Where applicable, this Appendix presents options and recommendations for City Council's consideration to resolve those issues. Before doing so, this Appendix provides some background information for context on the role of the Board of Directors with respect to Controlled Corporations.

BACKGROUND

The obligation of board members, or directors, of a corporation is to "manage the activities and affairs of a corporation" in accordance with the NPCA [section 88] and the corporation's "articles, bylaws and any unanimous member agreement" [subsection 109(2)]. Directors are required to act honestly and in good faith with a view to the best interests of the corporation" and "exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances" [subsection 109(1)]. These obligations are echoed in the *Director's Code of Conduct*.

A member of Council who also serves as a Director on the Board of a City Controlled Corporation has a multi-faceted role. Council members acting as Directors have a second, somewhat overlapping role in their capacity as a representative of the Controlled Corporations' sole Member. Each of the City's Controlled Corporations has only one Member: the City of Saskatoon. As sole Member, the City has the ultimate power to decide (within the limits permitted by the NPCA) what the Controlled Corporations' foundational governance documents (their Articles, Corporate Bylaws,

and unanimous member agreements) say about how the Corporations will be run by the Directors.

Primarily, the City is the party with the most immediate interest in ensuring that the Controlled Corporations are properly governed. This interest emerges for several reasons:

- The ultimate property interest in the Controlled Corporations' valuable property [Article 2.08 of the Controlled Corporations' respective Bylaws].
- The City makes up for the Controlled Corporations' budget shortfalls from the City's own funds.
- The public reputation of the Controlled Corporations is intertwined with the City's public reputation.

Therefore, a Council member serving as a Director has all of the responsibilities of any other Director, and the additional responsibility of overseeing the Member's interest in the Controlled Corporation.

Officers are appointed by the Directors and have specific responsibilities delegated to them. Some officer positions require the office-holder to be a Director, while other officers need not also be Directors. Examples of officers are the President or Chair, Vice-President or Vice-Chair, Secretary and Treasurer.

This type of officer is to be distinguished from officers in the sense of certain top-level managerial employees of a corporation. For example, a person can serve as the "Chief Executive Officer" or "Managing Director" without in fact being either a "Director" or "Officer" in the sense that those terms are used in the above discussion.

ISSUES AND OPTIONS

ISSUE #1: BOARD SIZE

This section of this Appendix provides an analysis of various options that could be formally adopted to address the issue of the size of the Board of Directors for Controlled Corporations. These options range from maintaining the status quo to having a common fixed size for the Controlled Corporations. Before analyzing the options, a key question should be answered: what determines the size of a board of directors, particularly for single shareholder, non-profit corporations?

The general consensus in the literature is that the Board should determine its optimal size based on its needs. The primary guideline for determining Board size is the Board's function. Several factors can influence the size of the Board:

- Responsibilities.
- Committee structure.
- Legal mandates.
- Phase in the organizational lifecycle.
- Need for diversity.
- Maintaining a manageable group.

A review of recent literature indicates that the current trend for private-sector corporations is to have smaller boards of directors.¹ The Organisation for Economic Co-operation and Development's (OECD) *Guidelines on Corporate Governance of State-Owned Enterprises*, 2015 edition, states the following with respect to board size:

"To encourage board responsibility and in order for boards to function effectively, the boards of directors should be consistent with best practices developed for the private sector. They should be limited in size, comprising only the number of directors necessary to ensure their effective functioning. Experience further indicates that smaller boards allow for real strategic discussion and are less prone to become rubberstamping entities."²

The average corporate board size is approximately 6 to 15 board members,³ although the indication is that current best practice, including for government-sector boards, is toward a slightly lower board membership.⁴

The existing Boards for TCU Place and SaskTel Centre fall within the range of average corporate board sizes. During the Board Chair engagement process undertaken in the previous phase of the governance review, however, the Chair of the TCU Place Board indicated that a Board size decrease would be beneficial.⁵ Given the similarities in business models for TCU Place and SaskTel Centre, it makes sense that the Board size and composition for each of these entities would be the same or similar. TCU Place currently has one extra Board Member.

¹ Nicholas Price, "Best Practices: Board Size and Corporate Governance", online: <https://diligent.com/blog/board-size-corporate-governance> [Price]; Spencer Stuart, *Boardroom Best Practices*, 2017 ed., online: https://www.spencerstuart.com/-/media/bbp2017/bbp2017_ipe.pdf?la=en&hash=3A2C10C1C8779BDB9AE090320AA6A6F48F7C37D2, page 22.

² [Guidelines] Online: <https://www.oecd-ilibrary.org/docserver/9789264244160-en.pdf?expires=1536600530&id=id&accname=guest&checksum=456DAD4D4F743A47C51F7A756476F54>, pages 69-70.

³ Price, *supra* note 5; Spencer Stuart, *Canadian Spencer Stuart Board Index 2017*, online: <https://www.spencerstuart.com/-/media/pdf%20files/research%20and%20insight%20pdfs/canadianboardindex2017.pdf>, pages 50-52.

⁴ OECD, *Practical Guide to Corporate Governance: Experiences from the Latin American Companies Circle*, 2009, online: <http://www.oecd.org/daf/ca/corporategovernanceprinciples/43653645.pdf>, page 71; Government of British Columbia, Crown Agencies Secretariat, *Crown Agency Corporate Governance*, online: https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/services-policies-for-government/public-sector-management/crown_agency_corp_governance.pdf, page 4.

⁵ See GPC Agenda for March 19, 2018, online: <https://pub-saskatoon.escribemeetings.com/FileStream.ashx?DocumentId=49213> [Board Chair Engagement], pages 40-41.

The Remai Modern is a unique entity. In the more specific category of government controlled art galleries in Canada, the corporate board size for the art galleries reviewed in the previous report ranges from 12 to 27, with an average board size of 19. The increased board size for this subset may reflect its increased financial dependence on donations from a broad range of sources and a corresponding increase in the importance of networking.⁶

The discrepancy between the general trend toward smaller corporate boards on the one hand, and art galleries generally having larger boards on the other hand, may explain why, during the Board Chair engagement process undertaken in the previous phase of the governance review, the Chair for Remai Modern indicated a desire for a Board size increase while the TCU Place Chair indicated that a Board size decrease would be beneficial.⁷

Despite the request for a Board size increase from the Remai Modern, and that such an increase would appear to be in keeping with the board size of other art galleries, maintaining the current Board size, which is already larger than the City's other Controlled Corporation Boards, may be justified on the ground that Remai Modern also has a separate Foundation Board (the Remai Modern Foundation Inc.), the primary mandate of which is to raise funds for Remai Modern. The rationale for larger art gallery boards should be addressed by the creation of the Remai Modern Foundation. Arguably, an increase to the size of the Foundation Board, as opposed to the Remai Modern Board, would adequately address the increased importance of donations and networking in the art gallery industry.

Alternatively, the Board size could be increased but City Council could dictate who would populate the new positions.

In respect to size, it is recommended that a range be established in the Corporate Bylaws for each of the Controlled Corporations identifying the number of Board members eligible to sit at one time. The literature suggests that between 6 and 15 would be appropriate. This would build in some flexibility to the actual number of Directors that could be appointed to the Boards at any given time should circumstances warrant an adjustment.

Another nuance to this issue is who would set the actual number of Directors. At one point, the Remai Modern was proposing that the Board should set the actual number of Directors within the specified range. Traditionally, City Council has maintained the authority to set the number of Directors appointed to the Boards of the Controlled

⁶ Price, *supra* note 5, while finding the general trend in best practice is toward smaller boards, notes that one reason why certain groups would maintain a larger board is that larger boards "have a stronger array of networking contacts such as customers, clients, creditors and supply services."

⁷ See GPC Agenda for March 19, 2018, online: <https://pub-saskatoon.escribemeetings.com/FileStream.ashx?DocumentId=49213> [Board Chair Engagement], pages 40-41.

Corporations through the appointment process. This is prudent given that the appointment of Board members is one of the key control mechanisms available to City Council. Permitting the Remai Modern Board the ability to set the actual number of Directors would also be inconsistent with the process of TCU Place and SaskTel Centre. We would propose that City Council decide on the appropriate number of Directors within the range. The Boards could provide input on the number of Directors required as part of the annual recruitment process.

OPTIONS

Option 1: Maintain the Status Quo

This option proposes to keep Saskatoon's current approach with respect to the size of the Board of Directors for each Controlled Corporation. That is, all Controlled Corporations would continue with their current approaches to Board size. There are no implications financially or legally and the option does not present any implementation challenges.

Advantages:

- Requires no change to current Board sizes.
- No implementation challenges.
- Board sizes are presently manageable.

Disadvantages:

- Maintains an inconsistent approach to Board size for each Controlled Corporation.
- Board sizes are inconsistent with leading practices.
- Limits flexibility for each Controlled Corporation to determine appropriate Board size.

Option 2: Establish a Consistent Range for Board Size Between Controlled Corporations

This option proposes to set a consistent range for the Board size of all Controlled Corporations. The range could be set, according to leading practice literature, such that each Board would have a minimum of 6 directors to a maximum of 15 Directors. All Controlled Corporations would have Board sizes at some number within that range. City Council would decide on the actual number of Directors to appoint within the range.

The implementation of this option would require amendments to the Articles of Incorporation and the Corporate Bylaws of the Controlled Corporations. There are no major financial implications, or other implementation challenges resulting from this option.

Advantages:

- Allows for manageable Board sizes.
- Provides a consistent framework for Board sizes.

- Provides a flexible range for the Boards to alter size based on need.
- Meets leading practices with respect to Board size.

Disadvantages:

- The proposed range may not satisfy all Boards.

Option 3: Fixed and Flexible Hybrid

This option proposes to set a uniform or fixed number of Board members for both TCU Place and SaskTel Centre, but allow flexibility for the number of Board members for the Rемаi Modern. Under this option, for example, the Board of Directors for both TCU Place and SaskTel Centre could be fixed at 10 members. The Rемаi Modern Board could be provided a range, approximately 6 to 20 members. This option attempts to reflect the similarities in business models for TCU Place and SaskTel Centre and, by contrast, the uniqueness of the Rемаi Modern.

The implementation of this option would require amendments to the Articles of Incorporation and the Corporate Bylaws of the Controlled Corporations. A larger Board may result in increased Director costs for the Rемаi Modern.

Advantages:

- Provides flexibility to the Rемаi Modern.

Disadvantages:

- Inconsistent framework between the Controlled Corporations.
- Does not meet current leading practices with respect to Board size.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that it set a range for Board size of 6 to 15 Directors for each Controlled Corporation (Option 2: Establish a Consistent Range for Board Size Between Controlled Corporations).

RATIONALE

Given the findings of the literature, good governance principles and the functions of the City's Controlled Corporations, the City Administration is recommending that all Controlled Corporations be given a consistent range for Board size. As noted in the Background section, the literature suggests that between 6 and 15 members is appropriate. This approach keeps the Board size at manageable levels, but builds in some flexibility to the actual number of Directors that could be appointed to the Boards at any given time should circumstances warrant an adjustment.

Research indicates that, generally, smaller boards tend to be more effective than larger ones.⁸ Although these findings are in the context of for-profit sector boards, the

⁸ See Price at supra note 3.

research does suggest that this trend is also emerging in the non-profit sector. In fact as one expert argues, “the average board size of non-profits is slowly decreasing, and that the average size is still more than most experts recommend”⁹

In previous engagement on this file, the Remail Modern requested a Board size increase. It justified this request by stating that such an increase would appear to be in keeping with the size of other art gallery boards. However, maintaining the current Board size or establishing a recommended range can be defended on the grounds that Remail Modern also has a separate Foundation Board (the Remail Modern Foundation Inc.), the primary mandate of which is to raise funds for Remail Modern.

The rationale for larger art gallery boards tends to reflect such entities’ increased financial dependence on donations from a broad range of sources and a corresponding increase in the importance of networking. This should be addressed by the creation of the Remail Modern Foundation Inc. Arguably, an increase to the size of the Foundation Board, as opposed to the Remail Modern Board, would adequately address the increased importance of donations and networking in the art gallery industry.

ISSUE #2: BOARD COMPOSITION

Closely related to the issue of board size is the issue of board composition. Currently, the Board of Directors for each of TCU Place, SaskTel Centre and the Remail Modern are composed of citizen or public members and shareholder members, meaning members from the City of Saskatoon. The question that emerges here is: how many shareholder representatives should serve on the Board of Directors for each Controlled Corporation?

To address that question, this section of this Appendix describes and analyzes various options with respect to the appointment of members of Council to each Board. The options range from no Council appointments to the Boards to including multiple members of Council, the Mayor and a representative from the senior City Administration.

City Council may establish the composition of the Boards including:

- Specifying the number of citizen representatives.
- Specifying the number of Council appointments.
- Determining whether a member of the senior City Administration should be appointed.

The City’s representation on the Boards of the Controlled Corporations is mixed and inconsistent. Specifically, the Remail Modern Board of Directors includes two City Councillors. The SaskTel Centre Board of Directors, includes the Mayor and two City

⁹ See Nick Price, “Board Size and Nonprofit Governance,” found at: <https://www.boardeffect.com/blog/board-size-nonprofit-governance/>

Councillors. The TCU Place Board of Directors includes the Mayor, two City Councillors and the City Manager.

It is not imperative for the City Manager to sit on a Controlled Corporation Board of Directors. Indeed, given that the City Manager is City Council's principal advisor, it blurs the lines of accountability if the City Manager is serving in a similar capacity as their employer. A better approach is likely to have the City Manager or senior leadership work closely with the CEO or Executive Director of each of the Controlled Corporations to foster positive and transparent relationships between the City and the Controlled Corporations.

Given the significance of the City assets and the significant investment by the City of public monies, it is prudent to have members of Council overseeing the City's interest, as sole Member, in the Controlled Corporations. It would be reasonable that such oversight would be consistent for all of the City's Controlled Corporations.

However, in making this decision, City Council must consider the purpose of having a member (or members) of Council sit on the Boards of the Controlled Corporations. Is it to provide a liaison between City Council and the Boards? Is it to provide for reporting between the Controlled Corporations and City Council? Is it to provide oversight for the City with respect to the actions of the Boards?

This decision is also tied closely to the size of the Boards. If the Board size is reduced, then appointing fewer members of Council may be appropriate. Conversely, if the Board size is increased, appointing the same or more members of Council may be more appropriate. For example, to achieve a smaller Board at TCU Place and SaskTel Centre, City Council could consider appointing only one Council member to each of the Boards.

In addition, the Remail Modern Board requested an amendment to its Corporate Bylaw to codify that a Director who also serves as a member of Council has the ability to report to City Council and GPC *In Camera*.

The Remail Modern is a Controlled Corporation of the City, funded largely by taxpayers' dollars. The composition of the Board specifically provides that two Directors must be current Council members. Thus, there is an expectation that Council members may, and will, report back to the City as required. While the inclusion of a provision codifying this expectation is not necessarily typical, this has been an issue raised in the past and it is therefore recommended that such a provision be included in the Corporate Bylaw of each of the Controlled Corporations.

OPTIONS

Option 1: Appoint No Members of Council

This option proposes that no members of Council be appointed to any of the Boards of the Controlled Corporations. This approach would be a significant

departure from the current appointments to the Controlled Corporations. This option would require amendments to the Corporate Bylaw of each Controlled Corporation.

Advantages:

- Demonstrates the arms' length nature and independence of the Controlled Corporations.

Disadvantages:

- Does not provide any liaison between City Council and the Boards.
- Does not provide any oversight by City Council with respect to the Controlled Corporations.
- Does not fairly represent the significant reputational and financial risk that the Controlled Corporations undertake on behalf of the City.

Option 2: Appoint Only Two Councillors

This option proposes that two City Councillors, but not the Mayor, be appointed to each Board of the Controlled Corporations. The Remai Modern Board is currently appointed using this approach. To implement this option, the Corporate Bylaw of SaskTel Centre will require amendment. There are no other legal or financial implications resulting from this option.

Advantages:

- Allows for representation by the City on the Boards of the Controlled Corporations.
- Provides a liaison between the City and the Boards.
- Allows for an appropriate distribution between Councillors and other members of the Boards depending on the size of the Boards.
- Avoids appearance of undue interference by not having the Mayor as one of the appointments to the Boards.

Disadvantages:

- Puts Councillors appointed to the Boards in a dual role of being both a member of Council and a Director.

Option 3: Appoint Two Councillors, Plus The Mayor

This option proposes that two City Councillors and the Mayor be appointed to each Controlled Corporation Board. The SaskTel Centre Board is currently appointed using this format. To implement this option, the respective Corporate Bylaws of the other Controlled Corporations may require amendments. There are no other legal or financial implications resulting from this option.

Advantages:

- Allows for representation by the City on the Boards of the Controlled Corporations.
- Provides a liaison between the City and the Boards.

Disadvantages:

- Puts members of Council appointed to the Boards in a dual role of being both a member of Council and a Director.
- Depending on the size of the Board, it may represent a disproportionate representation by City Council on the Boards.
- Having the Mayor appointed to the Boards may lead to the appearance of undue influence by the City.

Option 4: Appoint One or Two Councillors, Plus The Mayor, Plus a Member of the Senior City Administration

This option proposes that one or two City Councillors, the Mayor, and a member of the senior City Administration be appointed to each Board. The TCU Place Board is currently appointed using this format. To implement this option, the Corporate Bylaws for SaskTel Centre and the Remai Modern may require amendments. There are no other legal or financial implications resulting from this option.

Advantages:

- Allows for representation by the City on the Boards of the Controlled Corporations.
- Provides a liaison between the City and the Boards.
- Provides for a direct link between the City Administration and the Controlled Corporations.

Disadvantages:

- Puts members of Council appointed to the Boards in a dual role of being both a member of Council and a Director.
- Depending on the size of the Board, it may represent a disproportionate representation by Council on the Boards.
- Having the Mayor appointed to the Boards may lead to the appearance of undue influence by the City.
- Having a member of the City Administration appointed to the Board may not be appropriate given this is a separate arms' length organization with its' own Administration.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council:

1. That two City Councillors be appointed to the Board of each Controlled Corporation (Option 2: Appoint Only Two Councillors).
2. That the Corporate Bylaws be amended to codify that a Director who also serves as a member of Council has the ability to report to City Council and the Governance and Priorities Committee *In Camera* (Option 2: Appoint Only Two Councillors).

RATIONALE

As described under Issue #1: Board Size, there is a trend toward smaller board sizes. Given the previous recommendation regarding Board size, it is important to recognize the arms' length nature of these organizations by not appointing a disproportionate number of members of Council to the Boards. In addition, the position of Mayor is highly visible in the City and appointing the Mayor may lead to appearances of undue influence at the Board level. Board members may feel they have to follow the direction of the Mayor. Further, the Mayor may be put in the awkward position of becoming an advocate for the Board.

Appointing two City Councillors to each Board appears to strike an appropriate balance between liaison and reporting between the City and the Controlled Corporations. It also maintains and respects the independence of the Controlled Corporations.

While there may be some rationale to support having a member of the senior City Administration appointed to help maintain transparency and facilitate a positive working relationship as between the City and the Controlled Corporations, the Controlled Corporations are separate legal entities with their own CEOs. From a governance perspective, it does not seem appropriate to have a member of the senior City Administration appointed as a voting member of the Boards. Instead, we would recommend that a Technical Advisory Committee be struck with appropriate members of the senior City Administration and senior members of each Controlled Corporation to provide for coordination and to act as a liaison between the two organizations at the administrative level. A later recommendation in this report proposes an Operating Agreement and/or Shared Services Agreement. A Technical Advisory Committee could be a part of the implementation of those Agreements.

In addition, it is important to recognize that while members of Council are being appointed to provide a liaison between the Boards and City Council, it is unfair to expect Council members to report to City Council on Board activities. Rather, we recommend that each Board report semi-annually or quarterly to City Council through GPC. That report should come directly from the Boards of the Controlled Corporations, through their Board Chairs. This report could include an update of upcoming actions, fiscal projections and other relevant items which the Boards deem necessary to inform the shareholder. The requirement for this reporting could be part of a Memorandum of Understanding which is recommended later in this report.

ISSUE #3: BOARD MEETINGS

Two sub-issues have emerged with respect to Board meetings. The first pertains to meeting procedures. The second addresses the ability for the Boards to meet outside the City limits. This section of the document addresses these sub-issues individually.

MEETING PROCEDURES

Subsection 55.1(5) of *The Cities Act* provides that a council shall ensure that "all council committees, controlled corporations and other bodies established by the council have publicly available written procedures for conducting business at meetings". Template

procedures have been developed by the City Solicitor's Office and shared with each of the Controlled Corporations. Each Controlled Corporation has been asked to review the template Meeting Procedures, make any modifications as desired, and have the same adopted by the respective Boards.

As this is a legal requirement, there are no options with respect to this item. It is suggested that the Governance Subcommittee follow up with each of the Controlled Corporations to ensure that meeting procedures have been implemented and are publicly available.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that each Controlled Corporation adopt meeting procedures within 60 days of this resolution being passed by City Council.

MEETING OUTSIDE CITY LIMITS

The Remai Modern had requested the ability to allow for meetings to occur outside the limits of the City of Saskatoon.

OPTIONS

Option 1: Maintain the Status Quo and Limit Meetings to Occur Within Saskatoon City Limits

This option maintains the status quo and limits meetings of the Boards to occur within Saskatoon city limits. There are no financial, legal or implementation challenges to this option.

Advantages:

- Recognizes the Saskatoon-based nature of the Controlled Corporations.
- Minimizes the cost of meetings.

Disadvantages:

- Does not allow for planning retreats outside the City of Saskatoon.
- May affect the ability to recruit Directors for the Boards.

Option 2: Permit Meetings Beyond Saskatoon City Limits

This option would allow the Controlled Corporations to determine where to hold their meetings. There will be financial implications to allowing meetings to occur outside the limits of the City of Saskatoon. In addition, the Corporate Bylaws would need to be amended to remove the requirement to have meetings within Saskatoon city limits. There are no legal implications to this option.

Advantages:

- May help with recruitment of Directors.
- Allows flexibility to the Controlled Corporations.

Disadvantages:

- Additional cost to have meetings outside the City limits, depending on the location and duration of each meeting.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that it maintain the status quo and limit meetings to occur within Saskatoon city limits (Option 1: Maintain the Status Quo and Limit Meetings to Occur Within Saskatoon City Limits).

RATIONALE

All of the Controlled Corporations have facilities that are located in the City of Saskatoon. There are numerous facilities in the City of Saskatoon that could be used to host off-site planning retreats. There is reputational and financial risk to the City and the Controlled Corporations in allowing Directors' costs to escalate by allowing meetings outside city limits.

Currently, none of the Controlled Corporation Boards are permitted to meet outside the city limits. Such a requirement ensures that costs, including travel expenses for Directors, staff, consultants and the like are minimized.

ISSUE #4: BOARD ORIENTATION

The Board Chairs were engaged for comment on the current functioning and structure of the respective Boards, including issues relating to training and orientation.¹⁰ While all Boards indicate that they have an orientation process in place, the Chair for TCU Place expressed strong support for additional Board member training, and the responses from the other two Boards indicate an openness to additional training.

A Board Orientation Manual was developed subsequent to City Council's 2019 appointments. A copy of the manual is provided as Appendix 2A to this Appendix. Representatives of the City Clerk's Office attended at the Remai Modern on March 19, 2019 and provided the Board with an onboarding and orientation session. A similar session was provided to the TCU Place Board on May 30, 2019, and the SaskTel Centre Board on June 5, 2019.

Both organizational information and information in respect of Board governance practices were included in the manual and in the presentation. Topics included:

- Organizational overview and its relationship to the City.
- Roles and responsibilities of the Board members (including what attributes should be demonstrated and the role of Council member as Board member).
- Board structure including how Board meetings are run and how decisions are made.
- Applicable policies and bylaws (providing key points).

¹⁰ See Board Chair Engagement, *supra* note 10, pages 46-47.

- Strategic Plan and other Board documents.

The Board onboarding and orientation program is intended to be mandatory for new Board members and optional for returning Board members of the Controlled Corporations. As decisions are still being made in respect of governance of the Controlled Corporations, the onboarding and orientation materials are a living document at this time and will be modified and updated accordingly before presentation of the materials next year. Any comments and questions received arising from the presentations this year will also be considered and addressed for next year.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that the City Clerk's Office conduct mandatory Board Orientation with each of the Controlled Corporations on an annual basis.

APPENDICES

- 2A. Board Orientation Manual – Centennial Auditorium and Convention Centre Corporation (TCU Place)



Orientation Manual

Centennial Auditorium and Convention
Centre Corporation (TCU Place)
Board of Directors

May 2019



MESSAGE TO BOARD MEMBERS OF CONTROLLED CORPORATIONS

Dear Board Members,

On behalf of my Council colleagues and all residents of Saskatoon, I want to extend a warm welcome to all members of the Centennial Auditorium and Convention Centre Corporation Board of Directors. As a volunteer board member, you represent the public with a passion for your community and a commitment to make Saskatoon an even better place for us all.

With a city the size of Saskatoon, City Council relies on the Boards of its Controlled Corporations—TCU Place, SaskTel Centre, and the Remai Modern—to guide these important institutions to continued success so that they can keep serving the citizens of Saskatoon in the best possible way. The governance role that boards play are at the heart of a successful organization as you work together to navigate all of the complexities facing these civic institutions. Additionally, the Boards of the Controlled Corporations play an integral role in bringing citizens and the City together to strengthen our community through citizen engagement. We are more successful when we are able to work collaboratively with the community, and these citizen-driven boards are an important way of drawing together people with diverse viewpoints and differing areas of expertise from all over the city.

I am confident that this opportunity will allow you to actively engage in the municipal decision-making process by providing leadership to these important institutions. Each of you was chosen not only because you have the skills necessary to be an excellent board member, but also because of your demonstrated commitment to our community as a whole. This enthusiasm and passion is greatly appreciated by City Council.

I look forward to working with you in your role as a board member, and I wish you the best during your time on the Board.

Sincerely,

A handwritten signature in black ink, appearing to read 'Charlie Clark', with a stylized, cursive script.

Charlie Clark
Mayor

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TCU PLACE OVERVIEW

The Saskatoon Centennial Auditorium began as a dream in 1961, started construction in 1966 and became a realization in 1968. It was built as a project to commemorate Canada's Centennial Anniversary. In January 2006, the facility partnered with, and sold its naming rights to, TCU Financial Group, renaming the facility TCU Place.

The state-of-the-art impressive facility is Saskatchewan's premier venue for entertainment and conference activities. The Sid Buckwold Theatre has, and will continue to host numerous world-class entertainers, artists, theatrical productions, and ballet companies.

TCU Place actively seeks to provide entertainment that caters to all sectors and ages of our population. The mandate to promote arts and culture in the community is a very important component to how we operate.

TCU Place now houses over 104,000 square feet of prime high-end convention space with over 21 different rooms to choose from. Expandable walls provide flexible room sizes that cater to conventions and banquets of up to 1,200 people. The convention centre features state-of-the-art audio visual and technical assets, natural light in many rooms, superior technical support, two freight elevators, and a permanent registration area. In-house catering offers a variety of creative menu selections. In addition to regional and provincial conferences, TCU Place has become a strong contender for larger national and international conventions.

TCU Place is owned by the City of Saskatoon and is operated by the Saskatoon Centennial Auditorium and Convention Centre Corporation. The Corporation consists of a Board of Directors with representation from City Council and the general public.

MUNICIPAL GOVERNMENT AND JURISDICTION

The City of Saskatoon is a municipal corporation established by provincial legislation called *The Cities Act*. The purpose of a city is to provide good government, to provide services, facilities and other things necessary or desirable for all or part of the City, to develop and maintain a safe and viable community, to foster economic, social and environmental well-being and to provide wise stewardship of public assets. The existence, jurisdiction and powers of the municipal corporation depend entirely on the province and are exercised by municipal government on behalf of the citizens of Saskatoon by an elected City Council. City Council is comprised of the Mayor and ten Ward Councillors. A city must act through its council.

In order to carry out its mandate, City Council is authorized through *The Cities Act* to establish council committees, controlled corporations, business improvement districts and other bodies, and describe their mandate and function.

CONTROLLED CORPORATIONS – RELATIONSHIP WITH THE CITY OF SASKATOON

Pursuant to its authority under *The Cities Act*, City Council has established a number of Controlled Corporations incorporated under *The Non-Profit Corporations Act, 1995* (NPCA), including:

- The Art Gallery of Saskatchewan Inc. (Remai)
- The Centennial Auditorium & Convention Centre Corporation (TCUP)
- Saskatchewan Place Association Inc. (SaskTel)
- The Friends of the Bowl Foundation Inc. (Friends of the Bowl)
- Gordie Howe Sports Complex Management Inc. (GHSC Management)

The City of Saskatoon is the sole member of each Controlled Corporation and is the owner of the facilities. Pursuant to section 88 of the NPCA, the Controlled Corporations are each governed by a board of directors, charged with managing the activities and affairs of the Corporation, subject to any unanimous membership agreement. The Board membership includes a chair or president, vice-chair or vice-president, secretary, treasurer and such other officers as the Board may determine. The Board employs the Chief Executive Officer, responsible for the operation and management of the respective facilities on a day to day basis.

The Boards govern the Controlled Corporations according to the corporate purpose set out in the respective Articles of Incorporation, and within the parameters of the respective Articles, Corporate Bylaws and the NPCA more generally. The Boards report to City Council through the Standing Policy Committee on Finance on financial statements, auditor's reports and any other business as may properly be brought before an Annual General Meeting of the Members. The terms under which the Boards operate are stated in the respective Articles of Incorporation and corporate Bylaws. Amendments to the Articles or Corporate Bylaws must be approved by the City as the sole member of the Corporation. The Articles of Incorporation and Bylaw for the TCUP Board is attached as APPENDIX I.

City Council is solely responsible for citizen appointments to these Boards, in accordance with *Policy No. C01-003, Appointments to Civic Boards, Commissions, Authorities and Committees*, attached as APPENDIX II. The Policy is currently under review with amendments forthcoming to, among other things provide for a new, more comprehensive recruitment/appointment process that was adopted in 2018 to provide existing Board members the ability to participate in the vetting and consideration of prospective candidates, and ultimately make recommendations to City Council for candidate appointments to the Boards.

While the Friends of the Bowl and GHSC Management are governed by a volunteer Board, similar to the other three larger Controlled Corporations, the appointment process is managed differently. GHSC Management is governed by a mix of designated Directors nominated by partner organizations of the City and directors-at-large

appointed by City Council in the same course as the other Controlled Corporations. The Board of the Friends of the Bowl is comprised solely of directors proposed by each of the partner organizations. For the purpose of this orientation manual, the focus is on the three larger Controlled Corporations.

Current Board composition and general qualifications for the TCUP Board is attached as APPENDIX III.

POLICIES UNDER WHICH RELATIONSHIP GOVERNED

In addition to the Articles of Incorporation and Bylaws of the Controlled Corporations, each will have its own internal policies and procedures under which they operate. Some of the policies apply to operations staff, in an effort to foster a positive and productive work environment. Other policies apply to the Board, and regulate, for instance, Board member conduct. Similarly, policies that support fiscal responsibility are typical.

At present, with the exception of the *Directors' Code of Conduct* and *Directors' Anti-Harassment Policy* applicable to all Directors of the City's Controlled Corporations, there is no standard set of policies that all the Controlled Corporations must adopt and adhere to.

However, the Leadership Team Governance Subcommittee comprised of the City Solicitor, the City Clerk and the Chief of Public Policy & Government Relations for the City are currently engaged in a governance review of the City's Controlled Corporations, among other bodies established by Council, which may result in changes and standardization in this area. This same subcommittee is responsible for review of the Appointment Policy noted above.

STATUTORY BOARDS DISTINGUISHED

Aside from the City's Controlled Corporations, there are two independent municipal Boards established in accordance with specific enabling legislation, the directors of which are also appointed by City Council:

- The Saskatoon Public Library Board (Library Board)
- The Saskatoon Board of Police Commissioners (Board of Police)

Library Board

The Library Board is established pursuant to section 13 of *The Public Libraries Act, 1996*. The governance structure and parameters of the Library Board's authority are prescribed in the legislation. The number and composition of directors are similarly

prescribed. However, like the Controlled Corporation recruitment and appointments, Policy C01-003 applies.

The frequency of meetings, quorum requirements and process for calling special meetings are all prescribed in the legislation, as are the powers of the Library Board. The Library Board's obligations in respect of the passage of bylaws, budgets, audits and financial and record keeping are all likewise provided for in the legislation.

To complement *The Public Libraries Act, 1996*, the Library Board approved, in 2016, *The Saskatoon Public Library Bylaw*, which specifically recognizes the legislative requirements and supplements the prescribed rules.

Board of Police

As a municipality with a population of more than 5,000, *The Police Act, 1990* requires the City to establish a board of police commissioners by bylaw. *The Saskatoon Board of Police Commissioners Bylaw No. 7531* was passed on February 5, 1996. *The Police Act, 1990* and *Bylaw No. 7531* prescribe the governance structure and parameters of the Board of Police. Similar to the Library Board, the Board of Police approved a Governance Policy dated March 9, 2009.

MEMBERSHIP OF THE BOARDS OF DIRECTORS

In general, the Boards of Directors consist of an appointed Council member(s), in some instances a member(s) of the City's Administration, and several volunteer citizens-at-large appointed by City Council, in accordance with *Policy No. C01-003, Appointments to Civic Boards, Commissions, Authorities and Committees*. The current number of Directors on each of the three larger Controlled Corporation Boards varies from 12 to 14. The appointment term for Directors for each Controlled Corporation is two years, and no Director can serve for more than six consecutive years. Directors may only be appointed to one board or committee of Council at any given time.

Each Board develops a Board Member Skills Competency Matrix identifying current expertise of existing Board Members and identifying skill sets missing from current Board composition. Although citizen appointments to the Boards are the responsibility of City Council, the existing Board is charged with developing a candidate review process to vet applications/resumes and conduct interviews of potential Board candidates ultimately making recommendations for appointment to the Governance and Priorities Committee, whose membership consists of all members of City Council. This provides existing Board members the opportunity to gauge the credentials of potential Board members and determine whether their skill sets and strategic goals are in line with that of the Controlled Corporation. Similarly, existing Board members participate in the reappointment process by conducting performance evaluations of members seeking to extend their term on the Board.

ROLE OF THE BOARD OF DIRECTORS

Generally, Board members are trustees of a valued civic resource, and are responsible for the general operation, management and maintenance of the facility. The Board performs these duties on behalf of City Council as the sole member of the corporation and is accountable to City Council and the citizens of Saskatoon. Fiscal responsibility is paramount given the public nature of the resources and ultimate accountability to the citizens of Saskatoon.

Board members are expected to attend Board meetings regularly. Anticipated absences must be reported to the Board chair. As per *Policy C01-003, Appointments to Civic Boards, Commissions, Authorities and Committees*, Directors are deemed to have resigned if they miss three (3) consecutive meetings without sufficient explanation. Directors may be removed from their position if a breach of Code of Conduct has occurred. As sole member of the Corporations, the City has discretion to remove any Director from office by ordinary resolution at a Special Member's Meeting.

The corporate Bylaws for the Controlled Corporations provide the Boards the ability to create committees of the Board and to delegate certain duties. The Boards for each of the Remail, TCUP and SaskTel are required to annually elect an audit committee to carry out the functions prescribed by the NPCA and as otherwise designated by the Board. There is some variation in the establishment of other committees depending on the Controlled Corporation.

The Board of Directors is responsible for the selection of the Chief Executive Officer, strategic planning, policies and procedures, compliance reporting and corporate communications. The employees of each of the Controlled Corporation facilities are managed by the CEO and are the responsibility of the Board of Directors.

Board members act on behalf of the City of Saskatoon to pursue what is in the best interest of the facility and the people served by that facility.

City Council holds the Boards accountable to ensure success of the Corporation. This is primarily the responsibility of the Board of Directors. It is the role of the Board to govern, that is to oversee and lead the Corporation in the provision of fiscally sound, high quality, safe and responsible services. This is done on behalf the owner, the City of Saskatoon, to whom they are directly responsible.

ROLE OF A CITY COUNCILLOR AS A DIRECTOR

The obligation of Directors of a corporation is to “manage the activities and affairs of a corporation” in accordance with the NPCA [section 88] and the corporation’s “articles, bylaws and any unanimous member agreement” [subsection 109(2)]. Directors are required to act honestly and in good faith with a view to the best interests of the corporation and “exercise the care, diligence and skill that a reasonably prudent person

would exercise in comparable circumstances” [subsection 109(1)]. These obligations are echoed in the *Directors’ Code of Conduct*.

A Councillor who also serves as a Director on the Board of a City Controlled Corporation has a multi-faceted role. Councillors acting as Directors have a second, somewhat overlapping role in their capacity as a representative of the Controlled Corporation's sole member. Each of the City's Controlled Corporations has only one member, the City of Saskatoon. As sole member, the City has the authority to, within the limits permitted by the NPCA, what the Controlled Corporations' foundational governance documents including their Articles, Bylaws, and any unanimous member agreements dictate how the corporations will be run by the Directors.

In addition, because the City has the ultimate property interest in the Controlled Corporations' valuable property,^[1] because the City makes up for the Controlled Corporations' budget shortfalls from the City's own funds, and because the public reputation of the Controlled Corporations is intertwined with the City's public reputation, the City is the party with the most immediate interest in ensuring that the Controlled Corporations are properly governed.

Therefore, a Councillor serving as Director has all of the responsibilities of any other Director, and the additional responsibility of overseeing the member's interest in the Controlled Corporation, and acting as a liaison between the two entities.

ROLE OF BOARD OFFICERS

Chair and Vice-Chair

As outlined in the Controlled Corporations' respective Bylaws, the Chair and Vice-Chair (in some corporate bylaws called president and vice-president) are elected or appointed annually by the voting members of the Board at its Annual General Meeting. Usually the Chair is the Board's most experienced and knowledgeable member and, as such, the Board can benefit from their knowledge.

The Chair acts as the spokesperson for the Board, and should be the only person who makes official public comments for the Corporation, unless alternate arrangements are approved by the Board in special cases [*Directors’ Code of Conduct*].

The Chair presides at all meetings and is responsible for the proper conduct of all meetings as outlined in the meeting procedures. The Chair enforces the rules of the Corporation, decides on points of privilege and points of order and advises on points of procedure. The Chair ensures that debate on issues is confined to Directors and relates to the item under discussion. They will encourage input from all members of the Board.

^[1] See s. 2.08 of any of the Controlled Corporations' respective Bylaws.

The Chair shall have the same rights and be subject to the same restrictions, when participating in debate, as all other Directors.

The Chair votes on all matters and is entitled to a second or casting vote in the case of an equality of votes. The Chair may prompt motions if nothing is coming forward from the Directors. If the Chair is absent, the Chair's duties shall be performed by the Vice-Chair, along with any other duties specified by the Board. Similarly, when wishing to make a motion, the Chair shall vacate the chair and request that the Vice-Chair take the chair. If the Vice-Chair is absent, the Secretary shall take the chair. The Chair shall remain out of the chair until the motion has been dealt with.

The Chair is also responsible for advising the City Clerk's Office in writing of a Director's resignation, absence from three consecutive meetings, and any breach of the *Directors' Code of Conduct* by a Director.

In addition to the Chair and Vice-Chair, the Board shall likewise elect/appoint a secretary and a treasurer as provided for in the Controlled Corporations' respective Bylaws.

Secretary

The secretary shall attend all meetings and committee meetings of the Board and record minutes of all such proceedings. The secretary shall be responsible to give required notices and be the custodian of the corporate seal and all documents and records.

Treasurer

The treasurer shall keep proper accounting records in compliance with the NPCA and in accordance with generally accepted accounting principles and shall be responsible for the deposit of money, safekeeping of securities and the disbursement of funds of the Corporation. The treasurer shall produce to the Board, an account of all transactions and the financial position of the Corporation whenever required by the Board.

ROLE OF THE CHIEF EXECUTIVE OFFICER

A chief executive officer (CEO) is the highest-ranking executive in a company. Their responsibilities generally include making major corporate decisions, managing the overall operations and resources of a company and acting as the main point of communication between the Board and corporate operations. The CEO is also generally the public face of the company. While a CEO may also sometimes be a Director on the Board that is not the case for the City's Controlled Corporations.

As distinguished from the Board, who oversees the Corporation as a whole, the CEO directs the operational aspects of a company and serves at the discretion of the Board.

BOARD MEMBER CONDUCT

Each of the City's Controlled Corporations has adopted the *Directors' Code of Conduct*, and the *Directors' Anti-Harassment Policy*¹, in respect of Board Member conduct. A copy of the *Directors' Code of Conduct*, and the *Directors' Anti-Harassment Policy*, are attached as APPENDIX IV.

The Directors' Code of Conduct

The *Directors' Code of Conduct* sets out the ethical duties and principles to which Directors are required to adhere, and largely mirror those responsibilities outlined above as required by the NPCA. For example, the Code specifically recognizes a Director's fiduciary duties to act in the best interest of the corporation, to avoid taking personal advantage of corporate opportunities, to protect confidential information and avoid conflicts of interest.

- Duty of Loyalty

Fiduciary duties of directors are stated in clause 109(1)(a) of the NPCA, which provides that "every director and officer of a corporation, in exercising his or her powers and discharging his or her duties, shall act honestly and in good faith with a view to the best interests of the corporation". This duty is generally identified as the duty of loyalty, within which a number of responsibilities are typically recognized:

- Corporate Opportunities
 - A Director must not take advantage of or use their position, authority or access to information for personal gain.
- Confidential Information
 - A Director shall maintain confidentiality of information and not share same except with those authorized to receive it.
- Conflict of Interest
 - A Director shall avoid conflicts of interest or the appearance of a conflict of interest between their personal interests and those of a closely connected person and the interests of the Controlled Corporation.
 - A conflict of interest happens when a Board member's relationships, actions or interests interfere, might interfere, or even appear to interfere with their duties as a Director.
 - If the Board is considering a matter where a conflict or perceived conflict of interest exists, the Board member shall:
 - disclose the conflict of interest;
 - leave the meeting during discussion of the matter;
 - abstain from attempting to influence voting on the matter, either before, after or during the meeting; and

¹ The *Directors' Code of Conduct*, and the *Directors' Anti-Harassment Policy*, are also under review by the Leadership Team Governance Subcommittee.

- abstain from voting on the matter.

The Code similarly identifies a Directors' ethical duties with respect to adherence to the *Directors' Anti-Harassment Policy*, the use of corporate property, the acceptance of gifts, benefits and entertainment, remuneration, and public comment.

- Corporate Property
 - Corporate property, both tangible (e.g. equipment, reports) and intangible (e.g. logos) shall not be used to pursue private interests.
- Gifts, Benefits and Entertainment
 - A Director must not solicit or accept benefits, entertainment or gifts in exchange for or as a condition of the exercise of their duties except in C.
 - A Director shall refuse an improper gift or benefit, or where there is no opportunity to do so, disclose it and turn it over to the Controlled Corporation for suitable disposition.
- Remuneration
 - A Director shall not accept remuneration from any source including the Controlled Corporation, except as approved by City Council.
 - Remuneration does not include gifts, benefits and entertainment received in accordance with the Code or the reimbursement of actual and reasonable expenses incurred by the Director in the performance of their duties.
- Public Comment
 - The Board Chair shall act as the spokesperson for the Board and make official public comment on behalf of the Controlled Corporation unless alternate arrangements are approved by the Board in special cases.

The complaints investigation process described in the Code and provides the Board Chair or Vice-Chair, as required, the discretion to investigate complaints. There are no existing obligations for the Board to involve or otherwise inform the City of complaints unless a recommendation for removal of a Board Member is made to the Governance and Priorities Committee. City Council, however, has reserved to itself the ability, for any reason it thinks fit, to remove a Director from the Board under the *Directors' Code of Conduct*.

Directors' Anti-Harassment Policy

Attached to the Code is the *Directors' Anti-Harassment Policy*. The *Saskatchewan Employment Act*, Part III, Occupational Health and Safety dictates that workplaces must be free of harassment and discrimination. The Controlled Corporations are no exception and no one, including Directors or senior executives are exempt from the Provincial Legislature's direction. The Controlled Corporations like all employers are obliged to maintain safe and healthy workplaces for their employees.

The purpose of the *Anti-Harassment Policy* is to ensure a respectful working environment free of harassment, including sexual, sexual orientation, racial, religious,

verbal or physical harassment. The Policy applies to all Directors of the City's Controlled Corporations.

Sexual and Sexual Orientation Harassment, Racial and Religious Harassment and Verbal Harassment are all specifically defined in the Policy. In its simplest terms, harassment is offensive behaviour related to sexuality or sexual orientation, race, colour, national or ethnic origin, religious beliefs or any other denigrating, intimidating or threatening behaviour.

The Policy establishes the rights and obligation of Directors to maintain a harassment-free workplace, and outlines the complaint investigation process. The complaints investigation process is, similar to the Code, the responsibility of the Board Chair or Vice-Chair, as required. Concerns should be brought to the attention of the Chair, or if the complaint is in respect of the Chair, the Vice-Chair. All complaints are treated seriously; the investigation appropriate to the circumstances will depend on the nature and severity of the alleged conduct. An informal process, including face to face discussions, mediation or facilitated discussions are identified as options for resolution as are more formal processes including formal investigation, either by Board members or a third party external agency. Formal investigation of a complaint will result in a report to the Board for handling.

The Policy contemplates procedural fairness, such that those accused of harassment shall be informed of the complaint against them and have an opportunity to respond. Fair treatment and appropriate supports are to be offered, as is access to written complaints. Retaliation against a complainant or witness are prohibited and may be subject to sanctions, as are malicious complaints.

The Policy provides for confidentiality, but not anonymity, in the investigation process to the extent possible.

Both the *Directors' Code of Conduct* and the *Anti-Harassment Policy* have existed in their current form since 2006. Accordingly, the Leadership Team Governance Subcommittee will also be reviewing these documents for amendment and updating as part of the governance review project.

MEETING RULES AND PROCEDURES

In accordance with Section 55.1 of *The Cities Act*, City Council shall ensure that all Council committees, controlled corporations and other bodies established by Council have publicly available written procedures for conducting business at meetings.

The Controlled Corporations, through the respective CEOs, have received draft standard meeting procedures from the City for their review and adoption. A copy of this Board's procedures is attached as APPENDIX V.

Directors' Meetings

Regular meetings of Directors will be held on a date specified (eg. third Tuesday of the month at 5:00 p.m.) in the City of Saskatoon. No specific notice to Directors is required, as per the respective Bylaws of each of the Controlled Corporations.

Special meetings of Directors may be held in the City of Saskatoon with notice to Directors.

The Chair shall prepare the agenda for the Directors' meetings and shall arrange for distribution of copies of the agenda, along with reports or communications to be dealt with to each Director in the prescribed time as outlined in each of the Controlled Corporations' respective meeting procedures.

All Board business is to be exercised at a meeting of the Board at which quorum is present or by resolution in writing signed by all the directors entitled to vote on that resolution at the meeting. The same rules apply for committees of the Board. Quorum shall consist of a majority of currently appointed Directors, and in any event, shall consist of not less than four Directors.

The Chair presides at all meetings.

Directors shall obtain the approval of the Chair before speaking and shall maintain proper decorum. When another Director is addressing the Chair, all other Directors must maintain proper decorum, as outlined in the meeting procedures.

Motions need to be seconded in order to be considered. The mover of the motion shall be given the first opportunity to speak and no Director shall speak longer than five minutes on the same motion, unless by a majority vote of the Directors present. There are various rules outlined in the respective meeting procedures that address the different forms of motions, for example, amending motions, providing notice of motion, etc.

All motions need to be voted on unless the Director is required to abstain from voting because of a conflict of interest.

The secretary is responsible for the recording of the minutes of each Directors' meeting and shall arrange for distribution of copies of the minutes of the last Directors' meeting to each Director in the prescribed time outlined in each of the Controlled Corporations' respective meeting procedures. If the secretary is absent, the Chair shall appoint some person to act as secretary of the meeting.

Members' Meetings

The Annual General Meeting of Members shall be held in Saskatoon. Special Meetings of Members may be held at such time and place (in the City of Saskatoon) as determined by the Directors, or as requested pursuant to the NPCA. Notice of both the Annual General Meeting and Special Meetings of Members shall be given to each member no more than 50 days and no less than 15 days before the meeting.

The NPCA does not contemplate annual or special meetings of the Controlled Corporations Boards being public.

The control and conduct at Members' meetings shall be as adopted in the meeting procedures for Directors' meetings. Similarly, the Directors' meeting procedures are to apply as adopted in the meeting procedures. In addition, the Members' Meetings agenda shall include the following:

- (a) consideration of amendments to Articles of Incorporation;
- (b) consideration of amendments to Bylaws;
- (c) consideration of Financial Statement and Report of Auditor;
- (d) resignation of Directors;
- (e) election of Directors; and
- (f) appointment of an Auditor.

RECORDS OF THE CORPORATION

The meeting procedures speak only to the requirement to have minutes recorded, and do not extend to maintenance of or access to such records.

Subsection 20(1) of the NPCA requires that a corporation prepare and maintain, at its registered office, records containing:

- a. the articles and the bylaws, and all amendments to them, and a copy of any unanimous membership agreement;
- b. minutes of meetings and resolutions of members;
- c. copies of all notices required by section 93 or 100;
- d. a securities register that complies with Division VI; and
- e. a register of members entitled to vote, containing the names, alphabetically or otherwise systematically arranged in a manner capable of producing information about all members in intelligible written form within a reasonable time, and the latest known addresses of each person who is or who, during the previous year, has been a member of the corporation and the date on which each became or ceased to be a member.

Subsection 20(2) further requires that adequate accounting records and records containing minutes of meetings and resolutions of the directors and any committee also be prepared and maintained. Accounting records and records containing minutes of meetings and resolutions of the directors are required to be kept at the registered office of the Corporation or such other place the Directors think fit and shall at all reasonable times be open to inspection by the Directors.

In respect of access to corporate records, the NPCA, at subsection 21(1) provides as follows:

“Members of a corporation, their agents and legal representatives and the Director may examine the records mentioned in subsection 20(1) during the usual business hours of the corporation, and may make copies free of charge, and, where the corporation is a charitable corporation, any other person may do so on payment of a reasonable fee.”

As the sole member, the City would have access to the corporate records in accordance with subsection 21(1).

The corporate bylaws of the Controlled Corporations echo the record keeping requirements of the NPCA.

Neither the NPCA, nor the corporate documents of the Controlled Corporations requires public access to the minutes or other records. Similarly, apart from *The Cities Act* requirements as to what the City must include in its public accounts in respect of the Controlled Corporations (subsection 156(2)), there is no specific obligation to disclose minutes or other records of the Controlled Corporations.

Freedom of Information and Access

Generally, Controlled Corporations are not subject to *The Local Authority Freedom of Information and Protection of Privacy Act* (“LAFOIP”).

In order for records of a Controlled Corporation to be subject to LAFOIP, it would have to be considered either a part of the City or a local authority in its own right.

- As a non-profit corporation, the City’s Controlled Corporations are a separate entity from the City. Absent special circumstances (such as annual reports or budget request to City Council), or access obtained pursuant to subsection 21(1) of the NPCA, the City will not have access to the Controlled Corporations records. That means that if an FOI request is made to the City for the records, the City’s general response is: “The City is not in possession or control of the record” and it directs the applicant to the Controlled Corporation. The City may also indicate that the Controlled Corporation is not subject to LAFOIP, so is not bound by its rules pertaining to disclosure. Therefore, the Controlled Corporation may choose to make records available or may choose to withhold them.

- A Controlled Corporation is not subject to LAFOIP in its own right for the following reasons. LAFOIP defines “local authority” as including “any board, commission or other body that is appointed pursuant to *The Cities Act*” and is prescribed”. The LAFOIP Regulations prescribe a board, commission or other body established pursuant to *The Cities Act* as a local authority. Therefore, in order for a board, commission and other body to be a “local authority”, its board must be appointed pursuant to *The Cities Act* and the board or the body must be established pursuant to *The Cities Act*.

Although City Council directed incorporation of the Controlled Corporations and appoints the Boards, the Controlled Corporations are established through their Articles of Incorporation pursuant to the NPCA. Controlled Corporations are established through their Articles of Incorporation pursuant to the NPCA., in contrast to a Business Improvement District for example. While City Council appoints the Boards, it is the Articles of Incorporation and the Bylaws which create or establish the Boards and their composition. Therefore, the Controlled Corporations are not local authorities and they are not subject to LAFOIP.



Saskatchewan
Justice

Corporations

211701
Entity Number

Certificate of Amendment

THE NON-PROFIT CORPORATIONS ACT, 1995

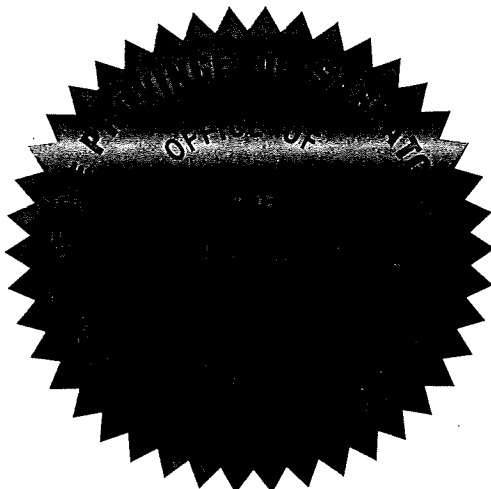
I certify that

THE CENTENNIAL AUDITORIUM & CONVENTION CENTRE CORPORATION

has amended its articles in accordance with the attached.

Given under my hand and seal

this 6th day of March, 2006

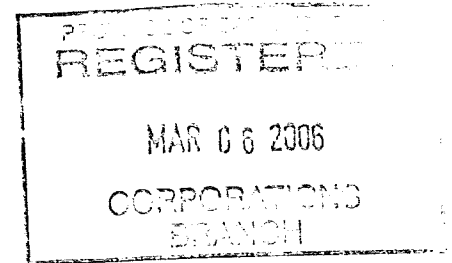


A handwritten signature in black ink, appearing to read "P. H. H. H.", written over a horizontal line.

Director of Corporations

Province of Saskatchewan
The Non-profit Corporations Act, 1995

Articles of Amendment
(Section 164 of the Act)



Corporation No. 2117 01

1. Name of Corporation:

The Centennial Auditorium & Convention Centre Corporation

2. The articles of the corporation are amended as follows:

(a) by repealing clause 7(b) and substituting the following:

“(b) Except as provided in clause 7(c), the Corporation shall not:

(i) borrow money upon the credit of the Corporation;

(ii) issue, reissue, sell or pledge debt obligations of the Corporation;

(iii) mortgage, hypothecate, pledge or otherwise create a security interest in all or any property of the Corporation, owned or subsequently acquired, to secure any debt obligation of the Corporation.”; and

(b) by adding the following after clause 7(b):

“(c) Notwithstanding clause 7(b), the Corporation may:

(i) borrow money upon the credit of the Corporation from The City of Saskatoon;

(ii) issue, reissue, sell or pledge debt obligations of the Corporation in favour of The City of Saskatoon;

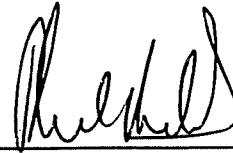
(iii) mortgage, hypothecate, pledge or otherwise create a security interest in all or any property of the Corporation, owned or subsequently acquired, to resecure any debt obligation of the Corporation in favour of The City of Saskatoon."

3. Each amendment as been duly authorized pursuant to the requirements of the *Act*.

February 27, 2006

Phil Richards

Director



**The Province of Saskatchewan
The Non-profit Corporations Act, 1995**

The Centennial Auditorium & Convention Centre Corporation

Special Resolution

The undersigned, being the sole Member of The Centennial Auditorium & Convention Centre Corporation, pursuant to Subsection 164(1) of *The Non-profit Corporations Act, 1995*, by its signature hereby adopts and consents to the following Special Resolution:

Be it Resolved as a Special Resolution:

1. That the Articles of the Corporation be and the same are hereby amended in the manner described in the Articles of Amendment attached to this Special Resolution as Schedule "A" and forming part hereof, and, subject to such modifications as the Director appointed under *The Non-profit Corporations Act, 1995* may think fit to direct and which the Directors in their discretion approve, the form of Articles of Amendment which are appended hereto are hereby approved.
2. That any one of the Officers or Directors of the Corporation be and is hereby authorized to do all acts and execute and deliver all such documents, including, without limitation, the said Articles of Amendment, which in the Officer's or Director's discretion are necessary or desirable to implement this Special Resolution.

Signed by The City of Saskatoon this 27th day of February, 2006.

The City of Saskatoon



Mayor



City Clerk

c/s

Schedule "A"

Province of Saskatchewan
The Non-profit Corporations Act, 1995

Articles of Amendment (Section 164)

1. Name of Corporation:

The Centennial Auditorium & Convention Centre Corporation

2. The articles of the Corporation are amended as follows:

- (a) by repealing clause 7(b) and substituting the following:

“(b) Except as provided in clause 7(c), the Corporation shall not:

(i) borrow money upon the credit of the Corporation;

(ii) issue, reissue, sell or pledge debt obligations of the Corporation;

(iii) mortgage, hypothecate, pledge or otherwise create a security interest in all or any property of the Corporation, owned or subsequently acquired, to secure any debt obligation of the Corporation.”; and

- (b) by adding the following after clause 7(b):

“(c) Notwithstanding clause 7(b), the Corporation may:

(i) borrow money upon the credit of the Corporation from The City of Saskatoon;

(ii) issue, reissue, sell or pledge debt obligations of the Corporation in favour of The City of Saskatoon;

(iii) mortgage, hypothecate, pledge or otherwise create a security interest in all or any property of the Corporation, owned or subsequently acquired, to resecure any debt obligation of the Corporation in favour of The City of Saskatoon.”

3. The amendment has been duly authorized by the members pursuant to Sections 161 and 164 of *The Non-profit Corporations Act, 1995* on the _____ day of _____, 2006.

Date	Name	Description of Office	Signature
<hr/>			
<hr/>			



The Non-profit Corporations Act Certificate of Incorporation

Corporation No. 211710

I hereby certify that

THE CENTENNIAL AUDITORIUM & CONVENTION CENTRE CORPORATION

Is this day incorporated and registered under *The Non-profit Corporations Act*.

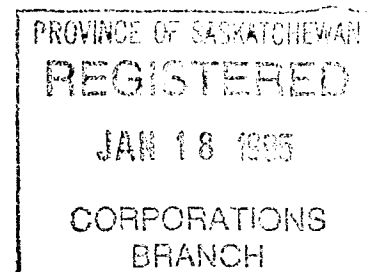
Given under my hand and seal this 18th day of January, 19 95




Philip J. Flory, Director



Province of Saskatchewan
The Non-Profit Corporations Act
ARTICLES OF INCORPORATION
(Section 6)



1. Name of Corporation:

The Centennial Auditorium & Convention Centre Corporation

2. The municipality in which the registered office is to be situated:

The City of Saskatoon

3. The classes of membership:

There shall be one (1) class of membership in the Corporation.

4. Right, if any, to transfer membership interest:

No membership interest in the Corporation shall be capable of being assigned, transferred, mortgaged, hypothecated, charged or sold.

5. Number (or minimum and maximum number) of directors:

The minimum number of directors of the Corporation shall be six (6), and the maximum number of directors of the Corporation shall be eighteen (18).

6. The Corporation is a membership corporation.

7. Restrictions, if any, on activities the Corporation may carry on or on the powers the Corporation may exercise:

- (a) The business that the Corporation may carry on is restricted to the management, operation, maintenance and promotion of a civic auditorium and convention facility in the City of Saskatoon, in a manner suitable to promote in the said City all of the performing and theatrical

arts, and to provide meeting and convention facilities in conjunction therewith; and, except as restricted or limited herein, the Corporation may do all such further things as are necessarily incidental to the foregoing;

(b) The Corporation shall not:

- (i) borrow money upon the credit of the Corporation;
- (ii) issue, reissue, sell or pledge debt obligations of the Corporation;
- (iii) mortgage, hypothecate, pledge or otherwise create a security interest in all or any property of the Corporation, owned or subsequently acquired, to secure any debt obligation of the Corporation.

8. Persons to whom remaining property is to be distributed in the course of liquidation and dissolution of the Corporation:

Upon liquidation or dissolution of the Corporation, any remaining property, whether real or personal and of whatsoever kind or nature, and wheresoever situate, shall be transferred to The City of Saskatoon.

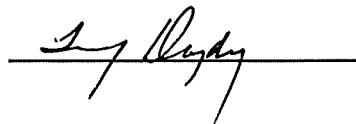
9. Other provisions, if any:

- (a) With the exception of a resolution of the directors of the Corporation made at the first meeting of directors following incorporation, a resolution of the directors of the Corporation admitting any person to membership shall be of no force or effect until it has been confirmed by the members at a meeting of members;
- (b) A vacancy among the directors of the Corporation shall only be filled by a vote of the members at a meeting of members;
- (c) Any member may by means of a proxy appoint a proxyholder to attend and act on his behalf at a meeting of members.

10. Incorporator:

Henry Dayday

222 Third Avenue North
Saskatoon, Saskatchewan
S7K 0J5



Province of Saskatchewan

The Non-Profit Corporations Act

NOTICE OF REGISTERED OFFICE
(Sections 19(2) and (4))



1. Name of Corporation:

The Centennial Auditorium & Convention Centre Corporation

2. Name of municipality in which registered office is situated:

The City of Saskatoon

3. Location of registered office within the municipality:

35 - 22nd Street East
Saskatoon, Saskatchewan

4. Mailing address of registered office including postal code:

35 - 22nd Street East
Saskatoon, Saskatchewan
S7K 0C8

5. Effective date:

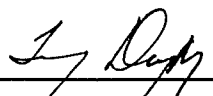
Upon incorporation.

6. If change of address, give previous address of registered office:

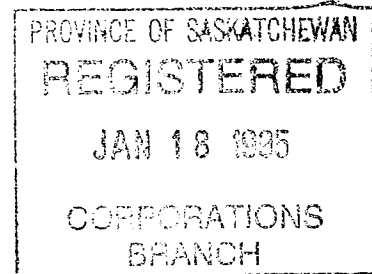
N/A

7. If change of municipality, give name of previous municipality:

N/A

Date	Name	Description of Office	Signature
January 17, 1995	Henry Dayday	Incorporator	

Province of Saskatchewan
The Non-Profit Corporations Act
NOTICE OF DIRECTORS
(Sections 90 and 97)



1. Name of Corporation:

The Centennial Auditorium & Convention Centre Corporation

2. On the _____ day of _____, 1995, the following persons ceased to be directors of the Corporation:

N/A


3. On the _____ day of _____, 1995, the following persons became directors of the Corporation:

N/A

4. The directors of the Corporation now are:

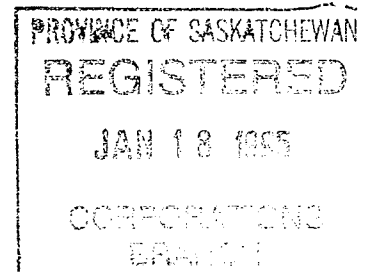
Full Name	Address	Occupation	Citizenship
Henry Dayday	222 Third Avenue North Saskatoon, SK S7K 0J5	Mayor	Canadian
Glen Penner	254 Emerald Terrace Saskatoon, SK S7J 4J1	Administrator	Canadian
Marshall Hawthorne	93 Maxwell Cres. Saskatoon, SK S7L 3Y4	Educator	Canadian
Doug Bicknell	707 Coppermine Cres. Saskatoon, SK S7K 4K8	Professor	Canadian
Julia Sauter	310 Sturgeon Drive Saskatoon, SK S7K 4C4	Realtor	Canadian
Rick Day	701 Second Avenue North Saskatoon, SK S7K 2C9	Businessperson	Canadian
Arnie Shaw	105-3502 Taylor Street E. Saskatoon, SK S7H 5H9	Consultant	Canadian

Full Name	Address	Occupation	Citizenship
Michael Sifton	204 Fifth Avenue North Saskatoon, SK S7K 2P1	Businessperson	Canadian
Elaine Sharfe	3826 Balfour Place Saskatoon, SK S7H 3Z7	Businessperson	Canadian
Bob Prosser	222 Third Avenue North Saskatoon, SK S7K 0J5	Civil Servant	Canadian
Pat Beck	420 Quance Avenue Saskatoon, SK S7H 3B4	Businessperson	Canadian

Date	Name	Description of Office	Signature
January 17, 1995	Henry Dayday	Incorporator	

experience an exceptional performance

Province of Saskatchewan
The Non-Profit Corporations Act



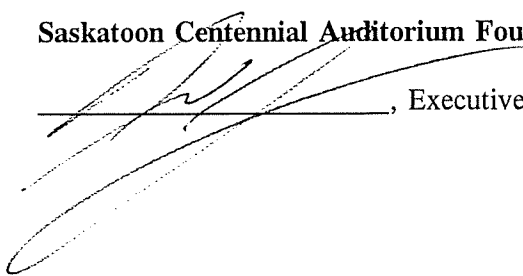
IN THE MATTER of *The Non-Profit Corporations Act* (the "*Act*") and Articles of Incorporation of the "The Centennial Auditorium & Convention Centre Corporation".

To: The Director
Corporations Branch
Saskatchewan Consumer and Commercial Affairs

The undersigned, Saskatoon Centennial Auditorium Foundation, a corporation incorporated pursuant to the provisions of *The Non-Profit Corporations Act* of the Province of Saskatchewan, hereby consents to the use of the name "The Centennial Auditorium & Convention Centre Corporation", or any variation thereof acceptable to the Director appointed pursuant to the *Act*, by the above-mentioned corporation proposed to be incorporated under the said *Act*.

Dated at the City of Saskatoon, in the Province of Saskatchewan, this 16th day of Jan, 1955.

Saskatoon Centennial Auditorium Foundation


_____, Executive Director

BYLAW NO. 7454

A bylaw of The City of Saskatoon to authorize the incorporation of a company to maintain and operate a civic auditorium in the City of Saskatoon, and to carry out all activities related thereto.

Whereas Section 150(e) of *The Urban Municipality Act, 1984* provides that a Council may, by bylaw:

- "(e) authorize the incorporation of a company, or providing for the acquisition of some or all of the shares of a corporation, formed for the purpose of constructing, acquiring, maintaining or operating civic auditoriums, exhibition grounds, zoos, wild animal parks, recreational or cultural facilities, including theatres, art galleries, museums or conservatories and providing for the carrying out of all related activities so long as the urban municipality has and retains controlling interest in the corporation;" and,

Whereas The City of Saskatoon is the owner of all those lands and premises municipally described as 35 - 22nd Street East, Saskatoon, Saskatchewan, upon which is situate a facility commonly known as the "Saskatoon Centennial Auditorium", and desires to incorporate a company for the purpose of maintaining and operating such facility, and carrying out all activities related thereto;

Now Therefore the Council of The City of Saskatoon enacts as follows:

Authorization to Incorporate

1. The City of Saskatoon is hereby authorized to incorporate a non-profit corporation pursuant to the provisions of *The Non-Profit Corporations Act* of the Province of Saskatchewan (the "*Act*"), to be named "The Centennial Auditorium and Convention Center Corporation", or such other like or similar name as the Director appointed pursuant to the *Act* shall approve, for the purpose of maintaining and operating the Saskatoon Centennial Auditorium, and carrying out all activities related thereto.

Conditions of Incorporation

2. The authorization set forth in Section 1 hereof shall be subject to the condition that The City of Saskatoon shall have and at all times retain a controlling interest in such corporation.

Execution of Documents

3. His Worship the Mayor, together with the City Clerk if required, is hereby authorized to execute on behalf of The City of Saskatoon all such incorporating and other documents as may be necessary to give effect to this Bylaw.

Coming Into Effect

4. This Bylaw shall come into force and take effect on the day of the final passing thereof.

Read a first time this 16th day of January , 1995.

Read a second time this 16th day of January , 1995.

Read a third time and passed this 16th day of January , 1995.

"Henry Dayday"

Mayor

"Janice Mann"

City Clerk

"SEAL "

Province of Saskatchewan

The Non-Profit Corporations Act

The Centennial Auditorium & Convention Centre Corporation

BYLAW NO. 1

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Province of Saskatchewan

The Non-Profit Corporations Act

BYLAW NO. 1

A bylaw relating generally to the conduct of the business
and affairs of The Centennial Auditorium & Convention
Centre Corporation

Section One - Interpretation

1.01 Definitions

In the Bylaws of the Corporation, unless the context otherwise requires:

"**Act**" means *The Non-Profit Corporations Act, 1995* of Saskatchewan, and any statute that may be substituted therefor, as from time to time amended;

"**appoint**" includes "elect" and vice versa;

"**Articles**" means the Articles attached to the Certificate of Incorporation of the Corporation as from time to time amended or restated;

"**board**" means the board of directors of the Corporation;

"**bylaws**" means this Bylaw and all other bylaws of the Corporation from time to time in force and effect;

"**Corporation**" means the corporation incorporated by the said Certificate of Incorporation under the *Act* and named " The Centennial Auditorium & Convention Centre Corporation;

"**meeting of members**" means an annual meeting of members or a special meeting of members;

"**member**" means any person with a membership interest in the Corporation;

"**membership interest**" means the rights, privileges, restrictions and conditions conferred or imposed on a member of the Corporation in accordance with the provisions of its articles or bylaws;

"non-business day" means Saturday, Sunday or any other day that is a holiday as defined in *The Interpretation Act (Saskatchewan)* as from time to time amended;

"officer of the Corporation" means the president, vice president, secretary and the treasurer, all of whose duties are set forth in Sections 5.03, 5.05, 5.06 and 5.07 of this Bylaw;

"recorded address" means in the case of a member, the address as recorded in the members' register; and in the case of a director, officer, auditor or member of a committee of the board, the latest address as recorded in the records of the Corporation;

"resident Canadian" means an individual who is:

- a) a Canadian citizen ordinarily resident in Canada;
- b) a Canadian citizen not ordinarily resident in Canada who is a member of a prescribed class of persons; or
- c) a permanent resident within the meaning of the *Immigration Act, 1976* and ordinarily resident in Canada, except a permanent resident who has been ordinarily resident in Canada for more than one year after the time at which he first became eligible to apply for Canadian citizenship;

"signing officer" means, in relation to any instrument, any person authorized to sign the same on behalf of the Corporation by or pursuant to Section 2.04 hereof;

"director" means a person occupying the position of director, by whatever name called, pursuant to the provisions of the *Act*; and,

"unanimous member agreement" means a written agreement among all the members of the Corporation or among all such members and a person who is not a member that restricts in whole or in part the powers of the directors to manage the activities and affairs of the Corporation, as from time to time amended.

Save as aforesaid, words and expressions defined in the *Act* have the same meanings when used herein. Words importing the singular number include the plural and vice versa; words importing gender include the masculine, feminine and neuter genders; and words importing a person include an individual, partnership, association, body corporate, trustee, executor, administrator and legal representative.

Section Two - Business of the Corporation

2.01 Registered Office

The registered office of the Corporation shall be at the City of Saskatoon, in the Province of Saskatchewan, and at such location therein as the board may from time to time determine.

2.02 Corporate Seal

The corporate seal of the Corporation shall be in such form as shall be determined from time to time by the board.

2.03 Financial Year

Unless changed by the board, the financial year of the Corporation shall end on the 31st day of December in each year.

2.04 Execution of Instruments

Deeds, transfers, assignments, contracts, certificates and other instruments may be signed on behalf of the Corporation by the president or vice-president together with the secretary or treasurer. In addition, the board may from time to time direct the manner in which, and the person or persons by whom any particular instrument or class of instruments may or shall be signed. Any signing officer may affix the corporate seal to any instrument requiring the same and may certify a copy of any instrument, resolution, bylaw or other document of the Corporation to be a true copy thereof.

2.05 Banking Arrangements

The banking business of the Corporation shall be transacted with such banks, trust companies or other bodies corporate or organizations as may from time to time be designated by or under the authority of the board. Such banking business or any part thereof shall be transacted under such agreements, instructions and delegations of powers as the board may from time to time prescribe.

2.06 Divisions

The board may cause the business and operations of the Corporation or any part thereof to be divided into one or more divisions upon such basis as the board may consider appropriate in each case. Any division may be designated by such name as the board may from time to time determine and may carry on the business and operations of any such division under a name other than the name of the Corporation; provided that the Corporation shall set out its name in legible characters in all contracts, invoices and orders for goods and services issued or made by or on behalf of the Corporation. The board may appoint officers for any division, determine their powers and duties, and remove any such officer so appointed without prejudice to such officer's rights under any employment contract or in law, provided that any such officers shall not, as such, be officers of the Corporation.

2.07 Income and Assets

The Corporation shall apply all proceeds after expenses and without limiting the generality of the forgoing, including debt repayment and reserve allocation, or other income, in the operation and promoting The Centennial Auditorium & Convention Centre Corporation for the benefit of the citizens of the City of Saskatoon and its visitors, as described in its Articles of Incorporation. The Corporation shall be prohibited from distributing such proceeds to its members.

2.08 Liquidation

Upon any liquidation or dissolution of the Corporation, any remaining property, whether real or personal and of whatsoever nature, shall be transferred to The City of Saskatoon.

Section Three - Directors

3.01 Number of Directors

Until changed in accordance with the *Act*, the board shall consist of not fewer than the minimum number and not more than the maximum number of directors provided in the articles.

3.02 Qualification

No person shall be qualified for election as a director if such person is less than 18 years of age, has been found by a Court to be of unsound mind, or has or acquires the status of bankrupt. A majority of the directors must be resident Canadians and a majority of the directors must reside in Saskatchewan.

3.03 Constitution of Board of Directors

Unless the members by special resolution resolve otherwise, the directors shall be chosen as follows:

At least two directors shall be from the current City Council for The City of Saskatoon and the balance shall be at large residents of the City of Saskatoon who are not City Councillors, a councilor's family member or a closely connected person as defined in the *Cities Act*.

3.04 Interpretation, Election and Term of Directors

- (1) This bylaw is intended to be interpreted and applied so as to attain a regular and orderly turn over of at large directors, while preserving as much Board knowledge and expertise as possible. To achieve this, it is intended that approximately 1/3 of the at large directors will be replaced every two years.
- (2) The normal term of office for at large directors will be two years. No such director is eligible to serve more than 6 consecutive years.
- (3) The appointment of all at large directors shall expire at the close of the first annual meeting of the Corporation. All such directors will be eligible for re-appointment for a two year term. It is not necessary that all directors be appointed for the same term. A director who is not elected for a set term ceases to hold office at the close of the annual meeting following appointment.
- (4) The members at every annual meeting shall fill the vacated and vacating director positions, as well as filling any new director positions if the members have changed the number of directors.
- (5) If an election of directors is not made at the proper time, or if there are an insufficient number of directors elected to fully populate the Board, a sufficient number of incumbent directors shall continue in office until their successors are elected. Failing agreement as to which incumbent or incumbents shall over hold, the choice shall be made by drawing lots.
- (6) Subject to the *Act*, the members may by resolution passed at a meeting specially called for such purpose remove any or all of the directors from office, and any vacancies so created may be filled at the same meeting.

3.05 Vacation of Office

A director ceases to hold office upon death, removal from office, becoming unqualified, expiration of term of office, or upon submission of a resignation to the Corporation, such to be effective at the later of the time of submission or the date of resignation specified.

3.06 Vacancies

Vacancies arising among the directors elected shall be filled only by the voting members in an annual or special meeting. In the absence of a quorum of the board, the board shall call a special meeting of members to fill the vacancies among the directors. If the board fails to call such meeting or if there are no directors then in office, any member may call the meeting. A quorum of the board may not fill a vacancy resulting from an increase in the number or minimum number of directors or from a failure of the members to elect the number or minimum number of directors.

3.07 Action by the Board

- (1) Subject to any unanimous member agreement, the board shall manage the activities and affairs of the Corporation. The powers of the board may be exercised at a meeting (subject to Section 3.08 and 3.09) at which a quorum is present in accordance with Section 3.17 or by resolution in writing signed by all the directors entitled to vote on that resolution at a meeting of the board. A signature submitted by electronic means shall suffice. Where there is a vacancy on the board, the remaining directors may exercise all the powers of the board so long as a quorum remains in office.
- (2) No resolution of the directors adopting, amending or repealing bylaws shall have any effect until confirmed by the members at the meeting of members.

3.08 Canadian Majority at Meetings

The board shall not transact business at a meeting unless a majority of the directors present are resident Canadian, except where:

- a) a resident Canadian director who is unable to be present approves in writing or by telephone or other electronic means the business transacted at the meeting; and
- b) a majority of resident Canadians would have been present had that director been present at the meeting.

3.09 Meeting by Telephone or Electronic Means

If all the directors of the Corporation consent, a director may participate in a meeting of the board or of a committee of the board by means of such telephone or other electronic means as permit all persons participating in the meeting to hear each other, and a director participating in such a meeting by such means is deemed to be present at the meeting. Any such consent shall be effective whether given before, during or after the meeting to which it relates and may be given with respect to all meetings of the board and of committees of the board.

3.10 Place of Meetings

Meetings of the board shall be held in the City of Saskatoon, in the Province of Saskatchewan.

3.11 Calling of Meetings

Meetings of the board shall be held from time to time at such time and at such place as the board, the president, the vice-president or any two directors may determine.

3.12 Notice of Meetings

Notice of the time and place of each meeting of the board shall be given in the manner provided in Section Nine to each director not less than 48 hours before the time when the meeting is to be held, unless all directors of the Corporation consent before, during or after such meeting. A notice of a meeting of directors need not specify the purpose of or the business to be transacted at the meeting except where the *Act* requires such purpose or business to be specified, including any proposal to:

- a) submit to the members any question or matter requiring approval of the members;
- b) approve any annual financial statements; or
- c) adopt, amend or repeal bylaws.

3.13 First Meeting of New Board

Provided a quorum of directors is present, each newly elected board may without notice hold its first meeting immediately following the meeting of members at which such board is elected.

3.14 Adjourned Meeting

Notice of an adjourned meeting of the board is not required if the time and place of the adjourned meeting is announced at the original meeting.

3.15 Regular Meetings

The board may appoint a day or days in any month or months for regular meetings of the board at a place and hour to be named. A copy of any resolution of the board fixing the time and place of such regular meetings shall be sent to each director forthwith after being passed, but no other notice needs to be sent for any such regular meeting except where the *Act* requires.

3.16 Chairperson

The chairperson of any meeting of the board shall be the president, or vice-president in the president's absence. If neither is present, the directors present shall choose one of their members to be chairperson.

3.17 Quorum

Subject to Section 3.08, the quorum for the transaction of business at any meeting of the board shall consist of a majority of the directors then in office, provided that in no event shall the quorum consist of less than four directors or such greater number of directors as the board may from time to time determine. If a quorum is present at the opening of any meeting of directors, the directors present may proceed with the business of the meeting notwithstanding that a quorum is not present throughout the meeting. If a quorum is not present at the opening of any meeting of directors, the directors present may adjourn the meeting to a fixed time and place but may not transact any other business.

3.18 Votes to Govern

At all meetings of the board every question shall be decided by a majority of the votes cast on the question. In case of equality of votes, the chairperson of the meeting shall be entitled to a second or casting vote.

3.20 Conflict of Interest/Code of Conduct/Anti-Harassment Policy

- (1) A director must declare all conflicts of interest as defined by the *Act* or by law, and shall not take part in deliberations or votes of the Board with respect to any such matter.

- (2) The City of Saskatoon Code of Conduct for Members of Civic Boards, Commissions, Authorities and Committees attached as Schedule "A" hereto, as it may be amended from time to time, and City of Saskatoon Anti-Harassment Policy for Members of Civic Boards, Commissions, Authorities and Committees, attached as Schedule "B" hereto, as it may be amended from time to time, form part of this Bylaw.

3.21 Remuneration and Expenses

The directors shall not be paid any remuneration for their services. The directors shall be entitled to be reimbursed for reasonable and actual expenses properly incurred by them in attending meetings of the board or any committee thereof. A director may serve the Corporation in any other capacity and receive remuneration therefor.

Section Four - Committees

4.01 Committees of the Board

The board may create committees of the board and delegate to any such committee any of the powers of the board except those which pertain to items which, under the *Act*, a committee of the board has no authority to exercise. Such items are set forth, in part, in Section 3.12(a) to (c) of this Bylaw. A majority of the members of any such committee shall be resident Canadians who reside in Saskatchewan.

4.02 Transaction of Business

Subject to the provisions of Section 3.09, the powers of a committee of the board may be exercised at a meeting at which a quorum is present or by resolution in writing signed by all members of such committee who would have been entitled to vote on that resolution at a meeting of the committee. A signature submitted by electronic means shall suffice. Meetings of such committees shall be held at the City of Saskatoon, in the Province of Saskatchewan.

4.03 Audit Committee

The board shall elect annually from among its members an audit committee to be composed of not fewer than three directors. The audit committee shall have the powers and duties provided in the *Act*, and as may be assigned by the Board.

4.04 Advisory Committee or Bodies

The board may create (and alter or disband) such advisory committees or bodies as it deems advisable, and may assign to or request from such committees or bodies such tasks, services or advice as it finds necessary or useful.

4.05 Procedure

Unless otherwise determined by the board, each board committee and advisory committee or body shall have power to fix its quorum at not less than a majority of its members, to elect its chairperson and to regulate its procedure. Each shall operate under the terms of reference set down by resolution of the board. The chairperson of each shall be responsible for the calling of all meetings and for the presentation of reports to the board. The chairperson of each shall, in the case of an equality of votes, have a second or casting vote.

4.06 The President of the Corporation

The president of the Corporation, or in the president's absence the vice-president, may attend and take part in the meetings of each board committee but if attending ex officio, shall not be a voting member of the committee nor form part of the quorum.

Section Five - Officers

5.01 Appointment

Subject to any unanimous member agreement, the board shall appoint a president, vice-president, secretary, treasurer and such other officers as the board may determine, including one or more assistants to any of the officers so appointed. The board may specify the duties of and, in accordance with this Bylaw and subject to the *Act*, delegate to such officers powers to manage the business and affairs of the Corporation. Subject to Section 5.02, an officer may but need not be a director and one person may hold more than one office.

5.02 Qualifications of Officers

The president and vice-president shall be elected annually by the directors from among board members subject to Section 3.04 (2). The secretary and the treasurer of the Corporation shall also be elected.

5.03 President

The president, subject to the authority of the board, shall have general supervision of the business and affairs of the Corporation, and shall have such powers and duties as the board may specify.

5.04 Past President

At any particular time, only one (1) person shall be qualified to hold office as a director pursuant to this Section, and should more than one person apparently so qualify, the immediate past president shall fill the office and the other person shall immediately retire from this office but may remain on the Board subject to Section 3.04 (2).

5.05 Vice-President

During the absence or disability of the president of the Corporation, the president's duties shall be performed and powers exercised by the vice-president of the Corporation. The vice-president shall have such other powers and duties as the board may specify.

5.06 Secretary

The secretary shall attend and be the secretary of all meetings of the board, members and committees of the board and shall enter or cause to be entered in records kept for that purpose minutes of all such proceedings. The secretary shall give or cause to be given, as and when instructed, all notices to members, directors, officers, auditors and members of committees of the board. The secretary shall be the custodian of the stamp or mechanical device generally used for affixing the corporate seal of the Corporation and of all books, papers, records, documents and instruments belonging to the Corporation, except when some other officer or agent has been appointed for that purpose. The secretary shall have such other powers and duties as the Board may specify.

5.07 Treasurer

The treasurer shall keep or cause to be kept proper accounting records in compliance with the *Act* and in accordance with generally accepted accounting principles, and shall be responsible for the deposit of money, the safekeeping of securities and the disbursement of the funds of the Corporation. The treasurer shall render to the board whenever required an account of all transactions as treasurer and of the financial position of the Corporation. The treasurer shall have such other powers and duties as the board may specify.

5.08 Powers and Duties of Other Officers

The powers and duties of all other officers shall be such as the terms of their engagement call for or as the board may specify. Any of the powers and duties of an officer to whom an assistant had been appointed may be exercised and performed by such assistant, unless the board otherwise directs.

5.09 Variation of Powers and Duties

The board may from time to time and subject to the provisions of the *Act*, vary, add to or limit the powers and duties of any officer.

5.10 Term of Office

The board, in its discretion, may remove any officer of the Corporation, without prejudice to such officer's rights under any employment contract or in law. Otherwise each officer appointed by the board shall hold office until a successor is appointed, or resignation.

5.11 Conflict of Interest

An officer shall disclose any conflict of interest in accordance with 3.19, *mutatis mutandis*.

5.12 Agents and Attorneys

The Corporation, by or under the authority of the board, shall have power from time to time to appoint agents or attorneys for the Corporation.

Section Six - Protection of Directors, Officers and Others

6.01 Covenant to Indemnify

To the extent permitted from time to time under the applicable law, including *The Non-Profit Corporations Act, 1995*, and subject to the terms and conditions of this bylaw, the Corporation agrees to indemnify the director from and against all costs, charges and expenses, including any amount paid to settle an action or satisfy a judgement, reasonably incurred by the director in respect of any civil, criminal or administrative action or proceeding to which the director is made a party by reason of being or having been a director or officer of the Corporation whether the event which gives rise to that proceeding arose before or after the date of this bylaw.

6.02 Conditions to Indemnity

The Corporation's obligation to indemnify the director under this bylaw is subject to the conditions precedent that:

- (a) the director acted honestly and in good faith with a view to the best interests of the Corporation when taking the action in question in the proceeding;
- (b) in the case of a criminal or administrative proceeding that is enforced by a monetary penalty, the director had reasonable grounds for believing that the conduct in question was lawful;
- (c) if the action is an action by or on behalf of the Corporation to procure a judgement in its favour, to which action the director is made a party by reason of being or having been a director or officer of the Corporation, a court of competent jurisdiction gives its approval to the Corporation to indemnify the director;
- (d) the director did not improperly profit by the conduct in question, including, without limiting the generality of the foregoing, did not appropriate an opportunity which ought to have been made available to the Corporation; and
- (e) the director did not fail to act in accordance with specific and lawful instructions or directions of the board of directors of the Corporation.

6.03 Director's Obligations

In order to qualify for indemnity, a director must:

- (a) as soon as reasonably practicable after becoming aware of any proceeding which may give rise to indemnification under this bylaw, give written notice to the Corporation, directed to its corporate secretary, of the proceeding, provided, however, that failure to give notice in a timely fashion will not disentitle the director to the indemnity provided under this bylaw except to the extent that the Corporation suffers actual prejudice by reason of the delay in giving that notice;
- (b) diligently assist in the conduct of the defence of any proceeding, including, without limitation, in enforcing any right of contribution or indemnity against any other person, and in particular shall attend at hearings and trials and assist in securing and giving evidence and obtaining the attendance of witnesses;
- (c) not voluntarily make any payment, assume any obligation or admit any liability in respect of any proceeding without the prior written consent of the Corporation; and
- (d) cooperate with the Corporation with a view to reducing defence and investigation costs including, without limitation, cooperating in the proposed choice of defence counsel, the terms of engagement of defence counsel, and the extent to which the defence and investigation costs may be controlled or limited through common efforts, including the employment of common defence counsel with other directors or officers of the Corporation, provided those common efforts do not create actual or perceived conflicts of interest.

6.04 Corporation's Obligations

If the Director's conduct satisfies the conditions precedent in 6.02 and the obligations in 6.03, the Corporation:

- (a) provided the director has obtained the prior consent of the Corporation to the incurring of defence and investigation costs or the payment of a Settlement Amount (such consent not to be unreasonably withheld), will:
 - (i) pay the reasonable defence and investigation costs incurred by the director in defending a proceeding in respect of which the Corporation is required to provide indemnity under this bylaw, and

- (ii) pay the settlement amount or the amount of any judgement against the director in respect of any proceeding for which an indemnity is provided under this bylaw.

Notwithstanding the foregoing, if the Corporation provides its consent to a proposed settlement of any proceeding and the director refuses to consent to such settlement, any amount awarded against the director in excess of the amount for which the settlement could have been made by the Corporation shall not be recoverable by the director from the Corporation under this bylaw or otherwise, and the Corporation shall be responsible for defence and investigation costs only up to the time at which such settlement could have been made;

- (b) if the director is not receiving indemnification from another source during the course of any proceeding for which indemnity is available under this bylaw, will advance and pay all defence and investigation costs as they are incurred, provided, however, that if:
 - (i) it subsequently is demonstrated that the director is not entitled to indemnity for any reason, the amount so advanced or paid by the Corporation must be repaid by the director to the Corporation forthwith upon request, and
 - (ii) if the director later receives indemnification or reimbursement for all or any part of those defence or investigation costs from a source other than the Corporation, the amounts so advanced or paid by the Corporation shall be repaid by the director to the Corporation forthwith upon request, to the extent of the other indemnification or reimbursement.
- (c) if the action is an action referred to in 6.02(c), agrees to make all necessary applications to secure that approval and to use its reasonable best efforts to obtain that approval.

6.05 Insurance

If the Corporation obtains insurance to indemnify or reimburse the director for defence and investigation costs or settlement amounts in some or all of the circumstances described in 6.01, the director acknowledges that the Corporation is liable to indemnify the director only if and to the extent that the director has not received indemnification or reimbursement of defence and investigation costs or settlement amounts from any other person including through any policy of insurance.

6.06 Subrogation

To the extent permitted by law, the Corporation shall be subrogated to all rights which the director may have under any policy of insurance or other contract pursuant to which director may be entitled to reimbursement of, or indemnification in respect of, defence and investigation costs or settlement amounts under this bylaw.

Section Seven - Members and Membership Interests

7.01 Classes of Membership

There shall be one (1) class of membership in the Corporation.

7.02 Members

Each member shall be noted in the records of the Corporation as the holder of such number of membership interests as may have been issued to such member.

7.03 Right to Vote

Each membership interest carries with it the right to vote at all meetings of members, and each member shall be entitled to cast the same number of votes as membership interests held.

7.04 Admission to Membership

Subject to the *Act* and the articles, admission to membership shall be within the discretion of the directors, who may, subject hereto, by resolution, admit any person as a member of the Corporation upon such terms and conditions and at such time as the directors may think fit, provided that:

- (a) any such resolution admitting any person to membership is of no force or effect until such time as it has been confirmed and ratified by the members in a general or special meeting;
- (b) no membership interest in the Corporation shall at any time be issued to any person unless such issue has been approved by resolution of the City Council of The City of Saskatoon;
- (c) no membership interest in the Corporation shall be issued to any person other than The City of Saskatoon without such further number of membership interests being issued to The City of Saskatoon as is sufficient to ensure that The City of

Saskatoon shall, at all times, hold at least two-thirds (2/3) of the total issued membership interests in the Corporation; and

- (d) any membership interest issued to any person other than The City of Saskatoon shall be held in trust for the said City, and on condition that the person holding such membership interest casts any vote entitled by virtue of the membership interest as directed by resolution of the Council of The City of Saskatoon.

7.05 Membership Cards or Certificates

Upon request, every holder of one or more membership interests in the Corporation shall be entitled, at the Corporation's option, to a membership card or certificate, or to a non-transferable written certificate of acknowledgment of the holder's right to obtain a membership card or certificate, stating the number of membership interests held by the person as shown in the records of the Corporation. Such cards or certificates shall be in such form as the board may from time to time approve.

7.06 Replacement of Membership Cards or Certificates

The board or any officer or agent designated by the board may, in their discretion, direct the issue of a new card or such other certificate in lieu of and upon cancellation of a certificate that has been mutilated or in substitution for a certificate claimed to have been lost, destroyed or wrongfully taken on payment of such reasonable fee and evidence of loss and of title as the board may from time to time prescribe, whether generally or in any particular case.

7.07 Transfer and Termination of Membership Interest

A membership interest of a member in the Corporation is not transferable and is terminated upon:

- a) death of the member;
- b) resignation of the member;
- c) termination of the membership in accordance with the *Act*, the articles or this Bylaw; or
- d) dissolution, liquidation or discontinuance of the Corporation.

Where a membership interest in the Corporation is terminated as aforesaid, the termination and the date thereof shall be noted in the appropriate records of the Corporation.

Section Eight - Meetings of Members

8.01 Annual Meetings

Subject to the *Act*, an annual meeting of members shall be held at such time in each year and, subject to Section 8.03, at such place as the board may from time to time determine, for the purposes of considering the financial statements and reports required by the *Act* to be placed before the annual meeting, electing directors, appointing an auditor and for the transaction of such other business as may properly be brought before the meeting.

8.02 Special Meetings

The board or the president of the Corporation shall have power to call a special meeting of members at any time. If at any time there are not sufficient directors to form a quorum, any director or member of the Corporation may call a special meeting.

8.03 Place of Meeting

Meetings of members shall be held at such place within the City of Saskatoon as the board shall from time to time determine.

8.04 Notice of Meetings

Notice of the time and place of such meeting of members shall be given in the manner provided in Section Nine not less than 15 nor more than 50 days before the date of the meeting to each director, to the auditor of the Corporation and to each member who, at the close of business on the record date for notice, is shown in the records of the Corporation as the holder of one or more membership interest carrying the right to vote at the meeting. Notice of a meeting of members called for any purpose other than consideration of the financial statements and auditor's report, election of directors and reappointment of the incumbent auditor shall state the nature of such business in sufficient detail to permit the members to form a reasoned judgment thereon and shall state the text of any special resolution to be submitted to the meeting. Notice of any meeting of members may also be given by publication in accordance with the requirements of the *Act*.

8.05 Financial Statements

The directors shall place before each annual meeting of members the financial statements and the report of the auditor to the members thereon. The financial statements shall:

- a) not be issued, published or circulated unless they have been approved by the board of directors and such approval shall have been evidenced by the signature of two (2) directors;
- b) be sent to each member not less than 15 days before each annual meeting, except a member who has informed the Corporation in writing that the member does not want a copy;
- c) cover a period that ended not more than four (4) months before the annual meeting;
- d) be a comparative statement (except in the case of the first statement) relating separately to the latest completed financial year and the financial year next preceding it;
- e) be made up of:
 - (i) a statement of earnings for each period;
 - (ii) a statement of changes in cash position for each period;
 - (iii) a balance sheet as at the end of each period with each statement containing the information required by the *Act* to be disclosed in such statements.

8.06 Publication of Financial Statements

In lieu of publishing a notice that includes the information required to be set out in the financial statements, along with the report of the auditor, if any, and any further information respecting the financial position of the Corporation and the results of its activities required by the articles, the Bylaws or any unanimous member agreement, all as prescribed in the *Act*, the Corporation may publish a notice stating that the said documents are available at the registered office of the Corporation to be examined during the usual business hours of the Corporation by any person and that person may make extracts there from free of charge.

8.07 List of Members Entitled to Vote

For every meeting of members, the Corporation shall prepare a list of members entitled to receive notice of the meeting, arranged in alphabetical order and showing the number of membership interests held by each member entitled to vote at the meeting. If a record date for the meeting is fixed pursuant to Section 8.08, the members listed shall be those registered

at the close of business on such record date. If no record date is fixed, the members listed shall be those registered at the close of business on the day immediately preceding the day on which notice of the meeting is given or, if no notice is given, the day on which its meeting is held. The list shall be available for examination by any member during usual business hours at the registered office of the Corporation and at the meeting for which the list was prepared.

Where a separate list of members has not been prepared, the names of persons appearing in the records of the Corporation at the requisite time as the holder of one or more membership interests carrying the right to vote at such meeting shall be deemed to be a list of members.

8.08 Record Date for Notice

The board may fix in advance a date, preceding the date of any meeting of members by not more than 50 days and not less than 15 days, as a record date for the determination of the members entitled to notice of the meeting, and notice of any such record date shall be given not less than seven days before such record date, by newspaper advertisement in the manner provided in the *Act*. If no record date is so fixed, the record date for the determination of the members entitled to receive notice of the meeting shall be at the close of business on the day immediately preceding the day on which the notice is given or, if no notice is given, the day on which the meeting is held.

8.09 Meetings Without Notice

A meeting of members may be held without notice at any time and place permitted by the *Act*:

- a) if all the members entitled to vote thereat are present in person or duly represented or if those not present or represented waive notice of or otherwise consent to such meeting being held; and
- b) if the auditors and the directors are present or waive notice of or otherwise consent to such meeting being held; as long as such members, auditors or directors present are not attending for the express purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called.

At such a meeting, any business may be transacted which the Corporation at a meeting of members may transact.

8.10 Chairperson, Secretary and Scrutineers

The chairperson of any meeting of members shall be: president of the Corporation or the vice-president of the Corporation. If neither is present within 15 minutes from the date fixed for holding the meeting, the persons present and entitled to vote shall choose a director as

chairperson, and if no director is present, or if all the directors present decline to take the chair, then the members present shall choose one of their number to be chairperson. If the secretary of the Corporation is absent, the chairperson shall appoint some person, who need not be a member, to act as secretary of the meeting. If desired, one or more scrutineers, who need not be members, may be appointed by a resolution or by the chairperson with the consent of the meeting. Provided, however, that any member of the Corporation holding the majority of membership interests in the Corporation, notwithstanding that such member is not the president of the Corporation, shall have the first right to be the chairperson at any meeting of members.

8.11 Persons Entitled to be Present

The only persons entitled to be present at a meeting of members shall be those entitled to vote thereat, the directors and auditor of the Corporation and others who, although not entitled to vote, are entitled or required under any provision of the *Act* or the articles or bylaws to be present at the meeting. Any other person may be admitted only on the invitation of the chairperson of the meeting or with the consent of the meeting.

8.12 Quorum

Subject to the *Act*, a quorum for the transaction of business at any meeting of members shall be one (1) person present in person and being a member entitled to vote thereat or a duly appointed proxy holder or representative of a member so entitled and holding or representing not less than fifty (50%) percent of the total number of the issued membership interests of the Corporation for the time being enjoying voting rights at such meeting. If a quorum is present at the opening of any meeting of members, the members present or represented may proceed with the business of the meeting notwithstanding that a quorum is not present throughout the meeting. If a quorum is not present at the opening of any meeting of members, the members present or represented may adjourn the meeting to a fixed time and place but may not transact any other business.

8.13 Right to Vote

Every person named in the list referred to in Section 8.07 shall be entitled to vote the membership interests shown thereon opposite his name at the meeting to which the list relates.

8.14 Proxy holders and Representative

Every member entitled to vote at a meeting of members may appoint a proxy holder, or one or more alternate proxy holders, to attend and act as the members representative at the meeting in the manner and to the extent authorized and with the authority conferred by the proxy. A proxy shall be in writing executed by the member or the member's attorney and shall conform to the requirements of the *Act*.

Alternatively, every such member which is a body corporate or association may authorize by resolution of its directors or governing body an individual to represent it at a meeting of members and such individual may exercise on the member's behalf all of the powers it could exercise if it were an individual member. The authority of such an individual shall be established by depositing with the Corporation a certified copy of such resolution, or in such other manner as may be satisfactory to the secretary of the Corporation or the chairperson of the meeting.

8.15 Time for Deposit of Proxies

The board may specify in a notice calling a meeting of members a time, preceding the time of such meeting by not more than 48 hours, exclusive of non-business days, before which time proxies to be used at such meeting must be deposited. A proxy shall be acted upon only if, prior to the time so specified, it shall have been deposited with the Corporation or an agent thereof specified in such notice or if, no such time having been specified in such notice, it has been received by the secretary of the Corporation or by the chairperson of the meeting or any adjournment thereof prior to the time of voting.

8.16 Votes to Govern

At any meeting of members every question shall, unless otherwise required by the articles, the *Act* or bylaws, be determined by a majority of the votes cast on the question. In case of equality of votes either upon a show of hands or upon a poll, the chairperson of the meeting shall be entitled to a second or casting vote.

8.17 Show of Hands

Subject to the *Act*, any question at a meeting of members shall be decided by a show of hands unless a ballot thereon is required or demanded as hereinafter provided. Upon a show of hands, every person who is present and entitled to vote shall have one vote. Whenever a vote by show of hands shall have been taken upon a question, unless a ballot thereon is so required or demanded, a declaration by the chairperson of the meeting that the vote upon the question has been carried or carried by a particular majority or not carried and an entry to that effect in the minutes of the meeting shall be *prima facie* evidence of the fact without proof of the number or proportion of the vote recorded in favour of or against any resolution or other

proceeding in respect of the said question, and the result of the vote so taken shall be the decision of the members upon the said question.

8.18 Ballots

On any question proposed for consideration at a meeting of members, and whether or not a show of hands has been taken thereon, the chairperson may require a ballot or any person who is present and entitled to vote on such question at the meeting may demand a ballot. A ballot so required or demanded shall be taken in such manner as the chairperson shall direct. A requirement or demand for a ballot may be withdrawn at any time prior to the taking of the ballot. If a ballot is taken, each person present shall be entitled, in respect of the membership interests which he is entitled to vote at the meeting upon the question, to that number of votes which equals the number of membership interests held or represented by such individual, and the result of the ballot so taken shall be the decision of the members upon the said question.

8.19 Adjournment

The chairperson at a meeting of members may, with the consent of the meeting and subject to such conditions as the meeting may decide, adjourn the meeting from time to time and from place to place. If a meeting of members is adjourned for less than 30 days, it shall not be necessary to give notice of the adjourned meeting other than announcement at the earliest meeting that it is adjourned. Subject to the *Act*, if a meeting of members is adjourned by one or more adjournments for an aggregate of 30 days or more, notice of the adjourned meeting shall be given as for an original meeting.

8.20 Resolution in Writing

A resolution in writing signed by all the members entitled to vote on that resolution at a meeting of members is as valid as if it had been passed at a meeting of the members unless a written statement with respect to the subject matter of the resolution is submitted by a director or the auditor in accordance with the *Act*.

Section Nine - Notices

9.01 Method of Giving Notices

Any notice (which term includes any communication or document) to be given (which term includes sent, delivered or served) pursuant to the *Act*, the Regulations thereunder, the articles, the bylaws or otherwise to a member, director, officer, auditor or member of a committee of the board shall be sufficiently given if delivered personally to the person to whom it is to be given or if delivered to their recorded address or if mailed to them at their recorded address by prepaid ordinary or air mail or if sent to them at their recorded address by any means of prepaid transmitted or recorded communication. A notice so delivered shall be deemed to have been given when it is delivered personally or to the recorded address as aforesaid; a notice so mailed shall be deemed to be given when deposited in a post office or public letter box; and a notice so sent by any means of transmitted or recorded communication shall be deemed to have been given when dispatched or delivered to the appropriate communication company or agency or its representative for dispatch. The secretary may change or cause to be changed the recorded address of any member, director, officer, auditor or member of a committee of the board in accordance with any information believed to be reliable.

9.02 Computation of Time

In computing the date when notice must be given under any provision requiring a specific number of days' notice of any meeting or other event, the date of giving the notice shall be excluded and the date of the meeting or other event shall be included.

9.03 Undelivered Notices

If any notice given to a member pursuant to Section 9.01 is returned on three consecutive occasions because the member cannot be found, the Corporation shall not be required to give any further notices to such member until the member informs the Corporation in writing of the member's new address.

9.04 Omissions and Errors

The accidental omission to give any notice to any member, director, officer, auditor or member of a committee of the board or the non-receipt of any notice by any such person or any error in any notice not affecting the substance thereof shall not invalidate any action taken at any meeting held pursuant to such notice or otherwise founded thereon.

9.05 Waiver of Notice

Any member, proxy holder, other person entitled to attend a meeting of members, director, officer, auditor or member of a committee of the board may at any time waive any notice, or

waive or abridge the time for any notice required to be given to them under the *Act*, the Regulations thereunder, the articles, the bylaws or otherwise and such waiver or abridgment, whether given before or after the meeting or other event of which notice is required to be given, shall cure any default in the giving or in the time of such notice, as the case may be. Any such waiver or abridgment shall be in writing except a waiver of notice of meeting of members or of the board or a committee of the board which may be given in any manner.

Section Ten - Records

10.01 Records of the Corporation

The directors shall duly comply with the requirements of the *Act* respecting the keeping of registers and records generally, and shall prepare and maintain, or cause to be prepared and maintained, at the registered office of the Corporation, records containing:

- a) the articles and the bylaws, and all amendments thereto, and a copy of any unanimous member agreement;
- b) minutes of meetings and resolutions of members;
- c) minutes of meetings and resolutions of directors and any committee thereof;
- d) copies of each notice of directors and change of directors;
- e) a register of members entitled to vote, containing the names, alphabetically or otherwise systematically arranged in a manner capable of producing information about all members in intelligible written form within a reasonable time, and the latest known addresses, of each person who is or who, during the previous year, has been a member of the Corporation and the date on which each became or ceased to be a member.

In addition to the foregoing, the directors shall further prepare and maintain, or cause to be prepared and maintained, true accounts of the sums of money received and disbursed by the Corporation, the matters in respect of which said receipts and disbursements take place, all sales and purchases by the Corporation, the assets and liabilities of the Corporation and all other transactions affecting the financial position of the Corporation.

10.02 Minutes of Meetings

Minutes of any meeting of the directors and any committee thereof, or of the members, if purporting to be signed by the chairperson of such meeting, or by the chairperson of the next succeeding meeting, shall be receivable as *prima facie* evidence of the matters stated in such minutes.

Section Eleven - Effective Date

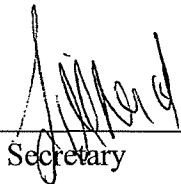
11.01 Effective Date

Subject to confirmation by the members, this Bylaw shall come into force and effect upon the date of the director's resolution making or enacting same.

Enacted by the directors of the Corporation this 22 day of APRIL, 2010



President



Secretary

CITY OF SASKATOON COUNCIL POLICY

NUMBER
C01-003

POLICY TITLE <i>Appointments to Civic Boards, Commissions, Authorities, and Committees</i>	ADOPTED BY: <i>City Council</i>	EFFECTIVE DATE <i>April 17, 1978</i>
		UPDATED TO <i>February 10, 2014</i>
ORIGIN/AUTHORITY <i>Committee on Committees Report No. 3-1978; Legislation and Finance Committee Reports 25-1981 and 3-1984; Committee of the Whole Report No. 4-1993; Legislative Report No. 15-2006; and Executive Committee Reports 5-1997, 14-1998, 13-2002, 1-2006, 13-2007, 1-2010 and 2-2014</i>	CITY FILE NO. <i>CK. 225-1</i>	PAGE NUMBER <i>1 of 7</i>

1. PURPOSE

To ensure the impartiality and accountability of Boards, Commissions, Authorities and Committees under the jurisdiction of the Corporation of the City of Saskatoon.

2. GENERAL POLICY

All appointments to Boards, Commissions, Authorities and Committees under the jurisdiction of the Corporation of the City of Saskatoon shall be made by City Council.

2.1 Application of Policy

In the case of statutory Boards, Commissions, Authorities and Committees (including the Saskatoon Public Library Board and the Board of Police Commissioners), where the provisions of this Policy are in conflict with provincial legislation, the provincial legislation shall take precedence.

2.2 Advertising

Citizen vacancies on Boards, Commissions, Authorities, and Committees shall be advertised on an annual basis, in September of the previous year. Separate advertising shall be undertaken for appointments to the Boards of Credit Union Centre, Saskatoon Public Library, Centennial Auditorium, Saskatoon Police Commission and Mendel Art Gallery.

2.3 Application Process

- a) Only individuals who complete and submit standard application forms, available through the City Clerk's Office, will be considered for appointment to Civic Boards, Commissions, Authorities and Committees. Individuals applying to serve on any of City Council's Boards, Commissions, Authorities and Committees shall also be required to submit a resume and two reference letters with their application.
- b) Current members requesting to be reappointed to any of City Council's Boards, Commissions, Authorities and Committees shall be required to submit a new application, available through the City Clerk's Office, but shall not be required to submit a resume or reference letters.

2.4 Criteria for Appointments

The following criteria should be considered in making appointments:

- a) Expressed interest of the individual.
- b) Basic qualifications criteria established pursuant to Section 2.5 below.
- c) Past involvement and demonstrated contribution of time and effort.
- d) No individual, excluding members of City Council, should serve on more than one Civic Board, Commission, Authority or Committee at the same time, except where it is considered to be essential and in the public good.
- e) Applicants must reside within the boundaries of the City of Saskatoon.

2.5 Basic Qualifications Criteria

The City will, where possible, establish basic qualifications criteria for members of each Board, Commission, Authority, and Committee; will consider such criteria when making appointments (as per 2.4 above); and will make the criteria available to those interested in applying for appointment. Input will be sought from the Boards of the Credit Union Centre, Saskatoon Public Library, Centennial Auditorium, Saskatoon Police Commission and Mendel Art Gallery on an annual basis as to specific skills and abilities required.

2.6 Appointment of Civic Employees

- a) City Council may appoint Civic employees to Boards, Commissions, Authorities or Committees provided that:
 - i) The employee has special relevant expertise to contribute; and/or
 - ii) The appointment is necessary by virtue of the employee's office; and
 - iii) There will be no detrimental effect on the employee's normal responsibilities.
- b) Members of the Civic Administration will not sit on civic advisory committees but may attend meetings as resource persons and to present reports.

2.7 Representation on Boards, Commissions, Authorities and Committees

City Council has resolved that appointments to positions on Boards, Commissions, Authorities and Committees be truly representative of the population of women and men of the City of Saskatoon and, therefore, wishes to achieve gender equity for all Boards, Commissions, Authorities and Committees. City Council has also adopted a Cultural Diversity and Race Relations Policy.

2.8 Declaring Conflict of Interest

Refer to the City of Saskatoon Code of Conduct for Members of Civic Boards, Commissions, Authorities and Committees adopted by City Council on January 9, 2006 (Attachment 1 and Attachment 2).

2.9 Length of Appointments

- a) Appointments shall be for the duration of the term defined in the constitution or terms of reference of the Board, Commission, Authority or Committee as approved by City Council or as otherwise specified by bylaw or Council resolution but shall be no greater than two years.
- b) No member-at-large may serve more than six consecutive years on a Civic Board, Commission, Authority or Committee.
- c) After a break of three years, individuals may be reappointed to a Civic Board, Commission, Authority or Committee on which they have served the six-year maximum.
- d) Notwithstanding subsection b), the terms of members of Boards and Commissions undertaking major capital projects such as expansion or relocation may, at the discretion of City Council, exceed the six-year maximum.
- e) Notwithstanding subsection b), City Council may, at its discretion, exceed the six-year maximum term for members of quasi-judicial boards.

2.10 Deemed Resignation

Members who miss three meetings in a row without explanation shall be deemed to have resigned from that Board, Commission, Authority or Committee.

2.11 Services Provided to Members

The following services will be provided to members of Civic Boards, Commissions, Authorities and Committees:

- a) Childcare Expenses – Citizen members will be reimbursed for childcare expenses for all meetings attended, up to a maximum of \$7.50 per hour and upon submission of a receipt to the City Clerk's Office.
- b) Parking Permits and Bus Tickets – Citizen members will be provided with temporary parking permits or bus tickets for attendance at Committee meetings.
- c) Hearing Assistance – Committee Rooms A and E have been equipped with systems to enhance the sound. Should members require an interpreter, the City Clerk's Office will arrange for same, through the Saskatchewan Deaf and Hard of Hearing Services, and will cover the costs.
- d) Visual Assistance – Arrangements have been made with the Saskatoon Library to utilize the JAWS (Job Access with Speech) system as required. This can be facilitated through the City Clerk's Office. (JAWS is a program that translates written text into speech for the use of people who are visually impaired.)

The City will make every effort to ensure that there are no barriers to public participation. Any requests for services not listed above will be considered on a case-by-case basis.

3. RESPONSIBILITIES

3.1 Appointees

- a) As part of the condition of accepting an appointment, the appointee shall agree to abide by the mandate, objectives and terms of reference of the Board, Commission, Authority or Committee.

- b) Appointees shall be responsible for advising the City Clerk's Office or the Secretary of the Board, Commission, Authority or Committee if they are unable to attend a meeting.
- c) Appointees shall be responsible for adhering to the Code of Conduct (see Attachment 1 and Attachment 2 to this policy).

3.2 Appointed City Employees

In addition to Section 3.1 above, City employees are expected to respect and represent the official views of the City and act in conformity with City policies and practices. It is expected that appointed officials would report important matters to their superiors in the normal manner, and could ensure that other civic operations would be represented and relevant activities and interests would be coordinated with appropriate City departments.

3.3 City Manager

Recommend Civic employees for appointments to Boards, Commissions, Authorities and Committees.

3.4 Boards, Commissions, Authorities, and Committees

Pursuant to Section 2.5 of this Policy, recommend qualifications criteria to the Executive Committee of City Council for consideration and approval.

3.5 City Clerk

- a) Administer appointments to Civic Boards, Commissions, Authorities and Committees program; and
- b) Recommend updates to the policy.

3.6 Executive Committee

- a) Make recommendations for appointments to Civic Boards, Commissions, Authorities and Committees;
- b) Review qualifications and criteria for appointments to Civic Boards, Commissions, Authorities and Committees; and
- c) Consider amendments to the policy.

3.7 City Council

- a) Approve appointments to Civic Boards, Commissions, Authorities and Committees; and
- b) Approve amendments to the policy.

CENTENNIAL AUDITORIUM & CONVENTION CENTRE BOARD OF DIRECTORS (TCU Place)

Appointed	Director
2015	Mr. Morris Smysnuik
2016	Mayor Charlie Clark
2016	Mr. Darren Kent
2016	Ms. Jennifer Pereira
2016	Ms. Bryn Richards
2017	Mr. Brian Bentley
2017	Ms. Jocelyne Kost
2017	Mr. Trevor Maber
2017	Councillor Bev Dubois
2018	Mr. Jeff Jorgenson, City Manager
2019	Mr. Trevor Batters
2019	Mr. Ross Johnson
2019	Councillor Zach Jeffries

The Centennial Auditorium and Convention Centre Board of Directors directs the operations of TCU Place in a manner that ensures proper maintenance of the facility, provides premiere services for the performing arts, and provides a full range of services for meetings and conventions.

General Qualifications:

- Knowledge of or experience on management and policy making Boards;
- An understanding of business;
- An appreciation of the performing arts;
- An understanding of trade and tourism in Saskatoon, as reflected in meetings and conventions; and
- A particular interest, knowledge and/or experience to be able to contribute to one of more of the following areas of expertise: marketing; finance; or building.

Specific Needs as of 2019:

- Building operations;
- Trade and tourism;
- Finance;
- Project management;
- Marketing; and
- Information Technology

The Board meets monthly on the last Thursday at 12:00 noon. There are no meetings in July, August, or December. There is no remuneration paid to Board members.

Attachment 2

Directors' Code of Conduct

(Board of Directors – Statutory Corporations)

(Adopted by resolution of the Council for The City of Saskatoon dated January 9, 2006)

1. Purpose and Objective

The purpose of this document is to provide guidance to directors on the conduct required by law or expected by the Corporation of them in the fulfilment of their duties as directors of the Corporation. The guidelines are not intended to be exhaustive. If issues outside the explicit guidelines should arise, they should be addressed in accordance with the general principles set out in this document, or through the exercise of sound business and ethical judgment. These guidelines do not override the requirements of the law, and if there is any inconsistency between them and the applicable law, the applicable law governs.

2. Fiduciary Duties

The fiduciary duties of the directors of a non-profit corporation are stated in Section 109(1)(a) of *The Non-Profit Corporations Act*, which states:

“every director and officer of a corporation, in exercising his or her powers and discharging his or her duties, shall act honestly and in good faith with a view to the best interests of the Corporation.”

This is often also termed the “Duty of Loyalty”. It leads to a number of other specific principles:

2.1 Corporate Opportunities

Directors must not take personal advantage of, or divert to their own benefit, commercial opportunities they learn about in the course of carrying out their duties as a director.

A director must not engage in any financial transactions, contracts, or private arrangements for personal profit, which accrue from or are based upon the director's fiduciary position or authority, or upon confidential or non-public information the director gains by reason of such position or authority.

2.2 *Duty to Protect Confidential Information*

Directors are bound by their fiduciary duty to the Corporation to maintain the confidentiality of information received by them in their capacity as directors. Information which is confidential, proprietary to the Corporation or non-public must not be divulged to anyone other than persons who are authorized to receive the information.

2.3 *Duty to Avoid Conflicts of Interest*

As a fiduciary of the Corporation, directors must avoid any conflict of interest, or the appearance of a conflict between their own personal interests or the interests of any closely connected person, and the interests of the Corporation. Directors must attempt to avoid not only actual conflict, but the potential for conflict.

A director is in a conflict of interest where the director, a closely connected person¹ or a Corporation in which the director or closely connected person has a controlling interest², has a pecuniary interest³ in a matter before the board.

A first step in avoiding or responding to a conflict of interest is to disclose the interest. Financial assets or investments which are directly or indirectly connected to the nature of a director's work should be disclosed in writing to the Corporation, or entered into the minutes of a meeting of directors. The disclosure should include the nature and the extent of the interest.

¹Closely connection person means agent, business partner, family (spouse or partner, parent or child) or employer of the director.

²Controlling interest means an interest that a person has in a corporation if the person beneficially owns, directly or indirectly, or exercises control or direction over shares of the corporation carrying more than 25% of the voting rights attached to all issued shares of the corporation.

³A director has a pecuniary interest in the matter if the director or someone in the director's family has a controlling interest in, or is a director or senior officer of a corporation that could make a financial profit from or be adversely affected financially by a decision of the corporation, or the director or closely connected person could make a financial profit from or be adversely affected financially by a decision of the corporation.

If the board is considering a matter where a conflict of interest, or a perceived conflict of interest, exists, the conflicted director shall:

- disclose the conflict of interest;
- leave the meeting during the discussion of the matter;
- abstain from attempting, in any way, whether before, during or after the meeting, to influence the voting on the matter; and
- abstain from voting on the matter.

3. **Duty of Care**

Section 109(2) of *The Non-Profits Corporations Act* speaks to the director's duty of care to the Corporation. It states that every director must exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

In fulfilling the duty of care, directors have a responsibility to ensure that systems are in place to provide directors with the information they need to make informed decisions, and that board decisions are sound and made pursuant to proper procedures.

4. **Regulatory Duties**

Various federal and provincial statutes impose or extend liability to directors (e.g., the liability for unpaid employees' wages under *The Labour Standards Act*, the liability for unremitted GST under the *Excise Tax Act*, the liability for unremitted source deductions on employees' pay, and the like). Directors must be satisfied that management has implemented appropriate safeguards to ensure the Corporation complies with such legislation.

5. **Ethical Guidelines**

In fulfilling their duties and obligations, directors should adhere to the following guidelines:

5.1 *Directors' Anti-Harassment Policy*

The Corporation has adopted the Directors' Anti-Harassment Policy attached as Schedule "A", which forms part of this Code of

Conduct. All directors are bound by the Directors' Anti-Harassment Policy in all of their activities on behalf of the Corporation.

5.2 *Preferential Treatment*

Directors must not act in their official role to assist organizations or persons in their dealings with the Corporation if this may result in preferential treatment to that organization or person.

5.3 *Corporate Property*

Directors must not use corporate property or services to pursue their private interests or the interests of a closely connected person. Corporate property includes real and tangible items such as equipment and intangible items such as reports, information, proprietary rights, patents, trademarks, copyrights, logos, name and reputation.

5.4 *Gifts, Benefits and Entertainment*

Directors must not solicit or accept benefits, entertainment or gifts in exchange for, or as a condition of the exercise of, their duties or as an inducement for performing an act associated with the director's duties or responsibilities with the Corporation.

Directors may accept gifts, hospitality or other benefits associated with their official duties and responsibilities if such gifts, hospitality or other benefits:

- are within the bounds of propriety, a normal expression of courtesy or within the normal standards of hospitality;
- would not raise questions about the director's objectivity and impartiality; and
- do not compromise the integrity of the Corporation.

An improper gift or benefit should be refused or returned to the person offering it as soon as possible. If there is no opportunity to refuse or return an improper gift or benefit, or where the refusal or return may be perceived as offensive for cultural or other reasons, the gift or benefit must be disclosed and turned over to the Corporation to make a suitable disposition of the item.

5.5 *Remuneration*

A director shall not accept remuneration from any source, including the Corporation, for services rendered as a director of the Corporation. A director may accept remuneration if approved by the Council for The City of Saskatoon. Remuneration does not include gifts, benefits and entertainment as described in subsection 5.4, reimbursement of actual and reasonable expenses incurred by the director in the performance of the director's duties, provided the same is approved by the board of directors or is pursuant to a policy approved by the board of directors, or any pay a director receives from the director's employer if the director attends to the director's duties of office for the Corporation during normal working hours of the director's employment with the director's employer.

5.6 *Public Comment*

The board chair should act as the spokesperson for the board, and should be the only person who makes official public comments for the Corporation, unless alternate arrangements are approved by the board in special cases.

5.7 *Board Independence of Management*

The board should establish appropriate structures and procedures to enable it to exercise objective judgment on corporate affairs independent of management. At minimum, board independence requires that a sufficient number of directors not be employed by the Corporation, and not be closely related to the Corporation or its management through significant economic, family or other ties. This guideline does not prevent interest group representatives from being appointed as directors.

6. *Investigation Process*

The board has approved the following process to deal with complaints (including, without limitation, complaints alleging breach of the Directors' Anti-Harassment Policy or other aspects of this Code of Conduct) involving members of the board:

6.1 *Complaints Forwarded to Chair*

All complaints pertaining to breaches of this Code of Conduct, including the Directors' Anti-Harassment Policy, shall be forwarded to the chair, or if the complaint is in respect of the chair, to the vice-chair, who shall provide copies to the board of directors, and arrange such an investigation as deemed appropriate in the circumstances.

6.2 *Cooperation with Investigation*

Every director must cooperate fully with an investigation under this Code of Conduct, including the Directors' Anti-Harassment Policy, whether he or she is the subject of the complaint or not.

6.3 *Report of Results*

The results of the investigation will be reported to the chair, or, if the complaint is in respect of the chair, to the vice-chair.

6.4 *Board Consideration*

The chair, or, if the complaint is in respect of the chair, the vice-chair, shall convene a meeting of the board to consider the report. The director whose conduct is the subject of the complaint is entitled to make submissions to the board respecting the subject matter of the complaint, but shall not participate in the board's decision. If the board concludes that the allegations are well-founded, the board shall determine if sanctions are warranted. Sanctions may include, but are not limited to, revocation of appointments to committees or offices of the Corporation, revocation of appointments to other boards as a nominee of the Corporation, or a recommendation to the Executive Committee of the Council for The City of Saskatoon to remove the individual as a director of the Corporation.

6.5 *City Right*

This Code of Conduct does not and cannot restrict the ability of Council for The City of Saskatoon to remove a director from the board if it thinks fit.

7. Post Service Reminders

When a director leaves a board, the Corporation should provide a written reminder of the director's responsibility not to make use of confidential information or take improper advantage of knowledge gained due to the director's previous position with the board.

8. Subsidiaries

The same principles apply to directors when serving on the board of a subsidiary company.

I acknowledge receipt of the above Code of Conduct and the attached Directors' Anti-Harassment Policy and agree that they bind me in my conduct as a director of _____.

I acknowledge that my appointment is subject to compliance with the Directors' Code of Conduct and the Directors' Anti-Harassment Policy, and that breach of the same may result in sanctions, up to and including my removal from the board of directors.

Date

Signature of Director

Schedule “A”

Directors’ Anti-Harassment Policy

(Board of Directors – Statutory Corporations)

(Adopted by resolution of the Council for The City of Saskatoon dated January 9, 2006)

1. Purpose and Objective

The purpose and objective of this Policy is to ensure a respectful working environment free of harassment, including sexual, sexual orientation, racial, religious, verbal or physical harassment.

2. Definitions

2.1 *Sexual and Sexual Orientation Harassment* - behaviour related to sexuality or sexual orientation that may be verbal or physical and is offensive, unsolicited and unwelcome. It is not limited to, but includes:

- unwelcome banter, teasing or jokes;
- innuendoes or taunting about a person’s clothing, body or sexual activities;
- displaying of pornographic or sexually explicit material;
- sexually related leering or other gestures, or unwelcome physical contact or invasion of personal space;
- condescending or patronizing behaviour, threats, promises, innuendos or reprisals whether direct or indirect, relating to a person’s sex or sexual orientation; and
- refusing to work with or have contact with others because of their gender or sexual orientation.

2.2 *Racial and Religious Harassment* - behaviour which disrespects or causes humiliation to people because of their race, colour, national or ethnic origin, or the adornments and rituals associated with religious beliefs. It is not limited to, but includes:

- slurs, gestures, innuendoes or taunts about a person=s racial or religious background;
- unwelcome banter, teasing or jokes relating to a person=s race or religion;
- displaying racist, derogatory or offensive pictures, materials or graffiti; and

- refusing to work with or have contact with others because of their racial or religious background.

2.3 *Verbal Harassment* - behaviour which is aimed at denigrating, intimidating or threatening a person, whether directly or indirectly. It may or may not overlap with other forms of harassment. It does not include spirited, but respectful expressions of opinion or debate not aimed at the individual, or his or her personal attributes, background or beliefs.

3. **Rights, Obligations and Responsibilities of Directors**

- 3.1 The Corporation has as its goal the creation and maintenance of a respectful working environment, and the eradication of harassment.
- 3.2 Every employee of the board, including employees of The City of Saskatoon providing assistance or services to the Corporation, and directors have the right to a respectful working environment free from harassment. Harassment is a form of discrimination, which violates people's human rights and dignity. Everyone in the working environment has a responsibility to ensure that all persons are treated with respect, and to ensure that harassment does not occur. The Corporation does not condone and will not tolerate harassment of its employees, directors or the general public.
- 3.3 This Policy is meant to augment all Provincial legislation relating to harassment-free workplaces for employees, The City of Saskatoon Workplace Harassment Policy A04-016 and The City of Saskatoon Respectful Workplace Policy A04-022, which Policies the Corporation has adopted, *mutatis mutandis*, in relation to its employees.
- 3.4 Directors are the leaders and role models for the Corporation and should lead by example and conduct in building and maintaining a working environment that is respectful and harassment free.
- 3.5 Directors should be vigilant in working to prevent disrespectful behaviour and harassment before it starts, by being polite, courteous and respectful and practice good conflict resolution methods in dealings with employees, other directors and the public.

- 3.6 Directors should, both individually and as a group, attempt to deal with concerns as they arise so that such concerns are resolved without the necessity of complaints having to be made.
- 3.7 Directors who believe they have been harassed have a right to bring their concerns to the attention of the chair, or, if the complaint is in respect of the chair, to the vice-chair.
- 3.8 Directors who believe employees or members of the public have been harassed have a responsibility to bring these concerns to the attention of the chair, or if the complaint is in respect of the chair, to the vice-chair. Directors who are in breach of this Policy may be subject to sanctions as set out in the Directors' Code of Conduct.
- 3.9 Members of the general public who engage in harassment may be subject to sanctions up to and including denial of access to services of the Corporation.
- 3.10 People accused of harassment must be informed of the complaint against them. They shall receive fair treatment, including appropriate supports, and be kept informed throughout the process, including being given access to any written complaints.
- 3.11 People who threaten to retaliate against a complainant or a witness for taking part in an investigation will be subject to sanctions.
- 3.12 Complainants will not be uprooted from his/her workplace or have his/her working conditions change as a result of remedial action against a harasser.
- 3.13 At any stage in the resolution process, both the complainant and the alleged harasser have the right to consult with and be represented by anyone of their choice.
- 3.14 Malicious complaints may result in sanctions being taken against the complainant.

4. Confidentiality

To protect the interests of the complainant, the alleged harasser and any others who may report incidents of harassment, confidentiality will be maintained throughout the investigatory procedure to the extent possible.

All records will be kept confidential except where disclosure is required by the sanction or other remedial process.

Confidentiality must be distinguished from anonymity. It is fundamental that individuals accused of a breach of this Policy, and subject to possible sanctions, be informed of the allegations; this information will include the identity of the complainant. The complainant who wishes his/her complaint dealt with must, therefore, be prepared to be identified.

5. Process and Directors' Code of Conduct

The chair, or if the complaint is against the chair, the vice-chair, shall treat all complaints seriously, and ensure that complaints are investigated through the process set out in the Directors' Code of Conduct.

Investigation appropriate to the circumstances will depend upon the nature and severity of the alleged conduct, and may include:

- Informal resolution - which may include face-to-face discussions, facilitated or mediated discussions, verbal or written statements and may be concluded with or without formal reports; and/or
- Formal investigation
 - may be used if informal resolution does not work or is inappropriate for the circumstances;
 - a formal investigation may be conducted by a board member or members appointed by the chair or by an external agency, including The City of Saskatoon, retained by the chair;
 - the duties of the chair shall be taken by the vice-chair if the complaint is against the chair;
 - if a director or directors conduct the investigation, that director or directors shall not take part in the board's decision pursuant to the Directors' Code of Conduct; and
 - formal investigation will result in a report to the board to be dealt with by the board as required by the Directors' Code of Conduct.

TCU Place Meeting Procedures

In accordance with Section 55.1 of *The Cities Act*, the following constitutes the Meeting Procedures for the Saskatoon Centennial Auditorium & Convention Centre Corporation (“TCU Place”, or the “Corporation”).

DIVISION A **Directors’ Meetings - General**

Regular Meetings of Directors

1. Regular Meetings of Directors of the Corporation will be held on the last Thursday of every month, excluding July, August, and December. As per the Bylaws, no specific notice to directors is required.

Special Meetings of Directors

2. Special Meetings of Directors may be held when required at such times and place as agreed by the Directors, or as requisitioned pursuant to the Bylaws. All Directors shall be given notice of the time and place of such meetings as per the Bylaws.

Place of Meetings

3. Both Regular and Special Meetings of the Directors shall be held in the City of Saskatoon.

Resolutions in Writing and Electronic Meetings

4. Notwithstanding any other provision of this Meeting Procedure, a resolution signed by each member pursuant to Section 132 of *The Non-profit Corporations Act, 1995* is as valid as if it had been passed at a meeting of the members. A copy of the resolution shall be kept with the minutes of Meetings of Members.
5. Notwithstanding any other provision of this Meeting Procedure, a resolution signed by each Director or Committee of Directors pursuant to Section 104 of *The Non-profit Corporations Act, 1995* is as valid as if it had been passed at a meeting of the members. A copy of the resolution shall be kept with the minutes of Meetings of Directors or Committees of Directors.
6. If all of the Directors of the Corporation consent, a Director may participate in a meeting of Directors or a Committee of Directors by means of telephone or other communications facilities that permit all persons participating in a meeting to hear each other, and a Director participating in a meeting by these means is deemed for the purposes of *The Non-profit Corporations Act, 1995* to be present at such meeting.

DIVISION B

Control and Conduct at Meetings

Chair

7. (1) The Chair shall:
 - (a) preside at all meetings;
 - (b) preserve order at meetings;
 - (c) enforce the rules of the Corporation;
 - (d) decide points of privilege and points of order; and
 - (e) advise on points of procedure.
- (2) The Chair shall have the same rights and be subject to the same restrictions, when participating in debate, as all other Directors.
- (3) When wishing to make a motion, the Chair shall:
 - (a) vacate the chair, and request that the Vice-Chair take the chair;
 - (b) if the Vice-Chair is absent, the Secretary shall take the chair; and
 - (c) the Chair shall remain out of the chair until the motion has been dealt with.

Vice-Chair

8. (1) The Directors shall appoint a Vice-Chair.
- (2) The Vice-Chair is to act as the Chair if:
 - (a) the Chair is unable to perform the duties of Chair; or
 - (b) the office of Chair is vacant.

Point of Order

9. (1) A Director may rise and ask the Chair to rule on a point of order.¹
- (2) When a point of order is raised, the Director speaking shall immediately be seated and shall remain seated until the Chair decides the point of order raised.
- (3) A point of order must be raised immediately at the time the rules of the Corporation are breached.

- (4) The Director against whom a point of order is raised may be granted permission by the Chair to explain.
- (5) A point of order is not subject to amendment or debate.

Point of Privilege

- 10. (1) A Director may rise and ask the Chair to rule on a point of privilege.²
- (2) After the Director has stated the point of privilege, the Chair shall rule whether or not the matter raised is a point of privilege.
- (3) If the matter is determined to be a point of privilege, the Director who raised the point of privilege shall be permitted to speak to the matter.
- (4) If the point of privilege concerns a situation, circumstance or event which arose between Directors, the Director shall raise the point of privilege immediately after adoption of the minutes of the previous meeting.
- (5) A point of privilege is not subject to amendment or debate unless a motion regarding the point of privilege is put to the Directors.

Point of Procedure

- 11. (1) Any Director may rise and ask the Chair for an opinion on a point of procedure.³
- (2) When a point of procedure is raised, the Director speaking shall immediately be seated until the Chair responds to the inquiry.
- (3) After the Director has asked the point of procedure, the Chair shall provide an opinion on the rules of procedure bearing on the matter before the Directors.
- (4) A point of procedure is not subject to amendment or debate.
- (5) The Chair's answer to a point of procedure is not a ruling, and cannot be appealed to the whole of the meeting.

Appeal

- 12. (1) Any Director may appeal any ruling of the Chair on a point of order or point of privilege to the whole of the meeting.
- (2) A ruling of the Chair must be appealed immediately after the ruling is made or the ruling will be final.

Conduct of Directors

13. (1) A Director wishing to speak at a meeting shall obtain the approval of the Chair before speaking.
- (2) When addressing a meeting, a Director shall refrain from:
 - (a) speaking disrespectfully of the federal government, the provincial government or municipal council, or any official representing them;
 - (b) using offensive words in referring to a Director, an employee of the Corporation or a member of the public;
 - (c) reflecting on a vote of Directors except when moving to rescind or reconsider it, and reflecting on the motives of Directors who voted on the motion or the mover of the motion; or
 - (d) shouting or using an immoderate tone, profane, vulgar or offensive language.
- (3) When a Director is addressing the Chair, all other Directors shall:
 - (a) remain quiet and seated;
 - (b) refrain from interrupting the speaker, except on a point of order or point of procedure; and
 - (c) refrain from carrying on a private conversation in such a manner that disturbs the speaker.
- (4) Directors shall remain seated and be silent once a question is put to vote and until the vote is declared.
- (5) Directors shall ensure that all cellular telephones and similar electronic devices remain silent and do not create a disruption to the meeting.

DIVISION C Directors' Meeting Procedure

Procedure and Rules

14. (1) When any matter arises relating to procedure, which is not covered by this Meeting Procedure, the matter shall be decided by reference to *Bourinot's Rules of Order of Parliamentary Procedure*.
- (2) In the event of any conflict between the provisions of this Meeting Procedure and those contained in *Bourinot's Rules of Order of Parliamentary Procedure*, the provisions of this Meeting Procedure shall apply.

Suspension of Rules

15. Any of the rules contained in this Meeting Procedure not specified in *The Non-profit Corporations Act, 1995* may be suspended for any one meeting by a unanimous vote of the Directors present at the Directors' meeting.

Order of Business and Agenda

16. (1) The order of business for a Regular Business Meeting shall be as set out in Schedule "A".
- (2) The Chair shall prepare the agenda for Directors' meetings and shall arrange for distribution of copies of the agenda, along with all reports or communications to be dealt with at the Directors' meeting, to each Director at least 6 days immediately preceding the Directors' meeting.
- (3) Business shall be considered in the order in which it stands on the agenda, unless the Directors alter the order of business for the convenience of the Directors' meeting by a majority vote of the Directors present.

Minutes

17. (1) The Secretary shall arrange for the recording of the minutes of each Directors' meeting and shall arrange for distribution of copies of the minutes of the last Directors' meeting to each Director at least 6 days before the next Directors' meeting.
- (2) Any Director may request that a portion of the minutes be read aloud.
- (3) Any Director may make a motion amending the minutes to correct any mistakes.

Commencement of Meeting

18. (1) The Chair shall commence the meeting at the time specified for the meeting and as soon as a quorum is present.
- (2) If neither the Chair nor the Vice-Chair is present within five minutes of the time specified for the meeting and a quorum is present, the Secretary shall take the chair and commence the meeting until the arrival of the Chair or the Vice-Chair.
- (3) If a quorum is not present within 15 minutes of the time specified for the meeting, the Directors' meeting shall stand adjourned until the next regularly scheduled meeting.

Quorum

19. (1) A quorum for the transaction of business at any meeting of the Corporation shall consist of a majority of the Directors then in office, provided that in no event shall the quorum consist of less than four Directors or such greater number of Directors as the Corporation may from time to time determine. If a quorum is present at the

opening of any meeting of Directors, the Directors present may proceed with the business of the meeting notwithstanding that a quorum is not present throughout the meeting. If a quorum is not present at the opening of any meeting of Directors, the Directors present may adjourn the meeting to a fixed time and place but may not transact any other business.

- (2) Any act or proceeding of the Corporation that is adopted at any Directors' meeting at which a quorum is not present is invalid.

Motions and Debate

- 20. (1) A motion shall not be considered until it has been seconded.
- (2) When a motion is under debate, no other motions may be made, except:
 - (a) to refer the motion to a Committee or the administration for a report back to the Directors;
 - (b) to amend the motion;
 - (c) to defer the motion to a fixed date; or
 - (d) to request that the motion be put to a vote.
- (3) Any motions allowed under subsection (2) shall be considered in the order in which they were moved.

Motion to Amend - General

- 21. (1) Except as provided in subsection (12), any motion may be amended to:
 - (a) add words within the motion;
 - (b) delete words within the motion; or
 - (c) change a word or words within the motion.
- (2) The amending motion must be:
 - (a) relevant to the main motion;
 - (b) made while the main motion is under consideration; and
 - (c) consistent with the principle embodied in the main motion.
- (3) An amending motion may also be amended.
- (4) A subamendment must be:

- (a) relevant to the original amendment;
 - (b) made while the original amendment is under consideration; and
 - (c) consistent with the intent of either the original amendment or the main motion.
- (5) Only two amendments to a motion, an amendment and a subamendment, are allowed at the same time. When one or both have been dealt with, a further amendment or subamendment may be entertained.
- (6) There is no limit to the number of amendments or subamendments that may be proposed.
- (7) An amendment may be introduced at any stage before the question is put on the main motion provided there is not more than one amendment and one subamendment before the meeting at one time.
- (8) Any Director wishing to move an amendment that is not in order at the time because there are already two amendments before the meeting may state the intention of the proposed amendment, as the proposal may affect the vote on those motions awaiting decision.
- (9) The main motion shall not be debated until all amendments to it have been put to a vote.
- (10) Amendments shall be put in the reverse order to the order in which they were moved.
- (11) When all amendments have been voted on, the main motion incorporating all amendments adopted shall be put to a vote.
- (12) No amendments shall be made to the following motions:
 - (a) a motion to adjourn;
 - (b) a motion to defer to a fixed date, except as to the date; or
 - (c) a motion requesting that a motion be put to a vote.

Dividing a Motion into Parts

- 22. (1) A Director may request or the Chair may direct that a motion be divided if the motion contains more than one separate and complete recommendation.
- (2) Directors shall then vote separately on each recommendation.
- (3) A new motion to add a further recommendation is permitted provided:

- (a) the proposed recommendation is relevant to the original motion;
- (b) the proposed recommendation does not alter in a significant way the principle embodied in the original motion; and
- (c) the original motion has been dealt with.

Motion Arising

23. When a particular matter is before the Directors, a motion arising on the same matter is permitted provided:

- (a) the proposed motion is related to and rises from the item which has just been considered;
- (b) the proposed motion does not alter in a significant way the principle embodied in the original motion; and
- (c) the proposed motion is made before the consideration of any other item of business at the meeting.

Motion to Defer to a Fixed Date

24. (1) Where a majority of all Directors decide to defer a motion to a fixed date, the motion cannot be considered by the Directors until the fixed date.
- (2) The only amendment allowed to a motion to defer to a fixed date is to change the date.
- (3) Notwithstanding subsection (1), the Directors may consider a deferred motion before the fixed date if a majority of all Directors agree that the motion may be considered before that date.

Request that Motion be put to Vote

25. (1) A motion requesting that a motion be put to a vote shall not be moved or seconded by a Director who has spoken to the original motion.
- (2) A motion requesting that a motion be put to a vote shall not be amended or debated.
- (3) If a motion requesting that a motion be put to a vote is passed by the Directors, the original motion shall immediately be put to a vote of the Directors without further amendment or debate.
- (4) If a motion requesting that a motion be put to a vote is not passed by the Directors, the original question may be amended or debated.

Motion to Adjourn

26. (1) A motion to adjourn is allowed at any time during a Corporation meeting, except:
- (a) when a Director is speaking;
 - (b) when Directors are voting on a motion;
 - (c) when a recorded vote is being taken;
 - (d) when Directors are considering a motion requesting that a motion be put to a vote; or
 - (e) when no other intermediate proceeding has been considered since the last motion to adjourn was made at the meeting.
- (2) A motion to adjourn shall be decided without debate.

Motion Contrary to Rules

27. The Chair may refuse to put to the Directors a motion which is, in the opinion of the Chair, contrary to the rules and privileges of the Directors' meeting.

Withdrawal of Motion

28. The mover and seconder of a motion may withdraw it at any time prior to a vote being taken or prior to the motion being amended.

Motion to Reconsider

29. (1) A motion to reconsider is in order whether the original motion passed or failed.
- (2) A motion to reconsider may only be made at the same Directors' meeting as the original motion was voted on.
- (3) A motion to reconsider must be moved by a Director who voted with the prevailing side of the original motion. When a motion loses on a tied vote, the prevailing side is those who voted against the motion.
- (4) A motion to reconsider may be seconded by any Director regardless how the Director voted on the original motion.
- (5) A motion to reconsider is debatable only if the motion being reconsidered is debatable.
- (6) A motion to reconsider cannot be amended.
- (7) A motion to reconsider shall require a majority vote of the Directors present at the meeting.

- (8) If a motion to reconsider is adopted, the original motion is immediately placed before the Directors to be reconsidered.
- (9) Once a vote on a motion to reconsider has taken place, there shall be no further motion to reconsider that resolution.

Motion to Rescind

- 30. (1) A motion to rescind is in order only when the original motion passed. No motion to rescind shall be necessary when the original motion failed.
- (2) A motion to rescind may be made at any time following the Directors' meeting at which the original motion was voted on regardless of the time that has elapsed since the original vote was taken.
- (3) A motion to rescind may be moved and seconded by any Director regardless how they voted on the original motion.
- (4) A motion to rescind is debatable.
- (5) A motion to rescind may be amended.
- (6) Except as provided in subsection (7), a motion to rescind shall only be made by a notice of motion duly given at a Directors' meeting prior to the meeting at which the motion is to be considered.
- (7) The Directors may, by unanimous consent of the Directors present, waive the requirement for notice.
- (8) A motion to rescind shall, in all cases, require a majority vote of all Directors to pass.
- (9) A motion cannot be rescinded:
 - (a) when the making or calling up of a motion to reconsider is in order;
 - (b) when action on the motion has been carried out in a way that cannot be undone; or
 - (c) when a resignation has been accepted or actions electing or expelling a person from membership or office have been taken.

Notice of Motion

- 31. (1) A motion introducing a new matter shall not be considered by Directors unless a notice of motion has been submitted in writing to the Secretary at a previous regularly scheduled Directors' meeting.

- (2) A notice of motion shall include a copy of the actual motion to be placed before the Directors.
- (3) The Directors may, by unanimous consent of the Directors present, waive the requirement for notice.
- (4) All notices of motion received pursuant to subsection (1), shall be considered at the next Regular Business Meeting.

Debate on Motion

- 32. (1) Subject to subsections (4) and (5), no Director shall speak more than once to a motion except to explain a material part of their speech which may have been misquoted or misunderstood.
- (2) No Director shall speak longer than five minutes on the same motion.
- (3) The mover of the motion shall be given the first opportunity to speak.
- (4) The mover of the motion shall be allowed a reply at the conclusion of the debate, which reply shall not be longer than three minutes.
- (5) The Directors may, by a majority vote of the Directors present, allow any Director to speak to the same motion more than once or for longer than five minutes.

Voting of Directors

- 33. (1) A Director attending a Directors' meeting shall vote at the meeting on a matter before the meeting unless the Director is required to abstain from voting because of a conflict of interest.
- (2) If a Director is not required to abstain from voting on a matter before the meeting and abstains from voting, the Director is deemed to have voted in the negative. [this may vary depending upon your Corporation's Bylaws]
- (3) The Secretary shall ensure that each abstention is recorded in the minutes of the meeting.

Voting of Chair

- 34. The Chair shall vote with the other Directors on all questions.

Majority Decision

- 35. Unless a greater percentage of votes is required by any provision of the Bylaw, *The Non-profit Corporations Act, 1995*, or this Meeting Procedure, at every Directors' meeting all questions are to be decided by a majority vote of the Directors present.

Recorded Vote

36. (1) Any Director may request a recorded vote on any vote of Directors.
- (2) In such case, the minutes must show the names of Directors present and whether each voted for or against the proposal or abstained.

Tied Vote

37. If there is an equal number of votes for and against a resolution, the resolution is defeated.

DIVISION D

Members' Meetings - General

Annual General Meeting

38. The Annual General Meeting of Members shall be held in Saskatoon, notice of which shall be given to each member no more than 50 days and no less than 15 days before the meeting.

Special Meetings of Members

39. A Special Meeting of Members may be held at such time and place as determined by the Directors, or as requested pursuant to *The Non-profit Corporations Act, 1995*. Notice of the meeting shall be given to each member no more than 50 days and no less than 15 days before the meeting.
40. Both Regular (the "Annual General Meeting") and Special Meetings of Members shall be held in the City of Saskatoon.

DIVISION E

Control and Conduct at Meetings

41. Division B, Control and Conduct at Meetings shall apply, *mutatis mutandis*, to meetings of members.

DIVISION F

Members' Meeting Procedure

Directors' Meeting Procedure to Apply *Mutatis Mutandis*

42. Division C, Directors' Meeting Procedure shall apply, *mutatis mutandis*, to meetings of members.
43. Schedule "A" shall have added to it the following as needed:

- (a) consideration of amendments to Articles of Incorporation;
- (b) consideration of amendments to Bylaws;
- (c) consideration of Financial Statement and Report of Auditor;
- (d) resignation of Directors;
- (e) election of Directors; and
- (f) appointment of an Auditor.

¹ “**point of order**” means an issue raised by a Director in a meeting claiming that the procedures of the meeting or of an individual Director are contrary to the procedural rules or practices.

² “**point of privilege**” means an issue raised by a Director in a meeting on any matter related to the rights and privileges of the Corporation or individual Director and includes:

- (a) organization and existence of the Corporation;
- (b) comfort of Directors;
- (c) conduct of employees of the Corporation or persons in attendance at the meeting;
- (d) accuracy of the reports of the Corporation’s proceedings; and
- (e) reputation of the Corporation or Directors.

³ “**point of procedure**” means a question directed to the person presiding at a meeting to obtain information on the rules or procedures bearing on the business at hand.

Schedule A – Regular Business Meeting Agenda

1. Call to order
2. Confirmation of agenda
3. Declaration of conflict of interest
4. Adoption of previous minutes
5. Business arising from prior minutes
6. CEO report
7. Audit & Finance Committee report
8. Governance Committee report
9. Futures Committee report
10. New business
 - 10.1 Community feedback
11. Other items
 - 11.1 Upcoming events lists
 - 11.2 Board timetable reminders
 - 11.3 Reminder of next Board meeting
12. Adjournment
13. In-camera session

Directors of the Controlled Corporations Considerations and Options

INTRODUCTION

This Appendix focuses entirely on issues and options that address the Directors of the Controlled Corporations. As a result, this Appendix addresses the following primary issues:

- Appointment of Directors.
- Residency of Directors.
- Length of Appointment.
- Board Recruitment.

ISSUES AND OPTIONS

ISSUE #1: APPOINTMENT OF DIRECTORS

City Council has maintained the authority to appoint all Directors to the Boards of the Controlled Corporations. However, changes to the recruitment and appointment process of Board members were made at the commencement of the governance review process. This involved: (a) including existing Board members in the vetting process; (b) providing them with the opportunity to interview candidates; and (c) making recommendations for appointment to GPC.

The reforms are designed to generate a more collaborative process, which can enhance performance, effective interaction and decision making. Specific changes to the recruitment and appointment process were made in recognition of existing Board members' expertise and experience. They also consider the personality and abilities of candidates in light of the long-term vision of the Board and the existing skillsets of current Board members. In general, the strategy contemplates a more diligent and thorough recruitment and appointment process.

On the other hand, the reforms preserved City Council's ultimate responsibility for Board appointments. This recognizes the City's role as the single shareholder and owner of the facilities that the Controlled Corporations manage. The City's current model contemplates that City Council itself will be the final decision maker when it comes to Board appointments.

Since the adoption of the new recruitment and appointment process, concerns have been raised by existing Board members with respect to City Council's authority to accept or reject recommendations from the Boards. To address this concern, City Council could further clarify and codify its responsibility for appointments. Language could be included in the governing Corporate Bylaws as follows:

“Nominees approved by the Board will be recommended to City Council for approval. City Council may appoint Directors from the proposed list of nominees, or may appoint other persons to the position of Director at its discretion.”

If City Council's direction is to include such language, it is recommended that it be included in the Corporate Bylaw for each Controlled Corporation.

From the perspective of the sole Member of the Controlled Corporations, it violates good governance practices to delegate the appointment of Directors to others. In other words, Board appointments should remain the exclusive purview of City Council given the significance of the City assets at issue. Given that perspective, there are no reasonable options to consider or evaluate. As such, the recommendation is that City Council should maintain its ability to appoint Directors to the Controlled Corporations.

The Rемаi Modern had requested flexibility to have a “director emeritus”. A director emeritus is a former member of a company’s board of directors who has completed their service as a director but continues to be associated with the business as an advisor. As such, a director emeritus would be non-voting and not subject to the liabilities of a director. Traditionally, such a position has not been recognized in the governing documents of the City’s Controlled Corporations. Therefore, to include such a provision for the Rемаi Modern Board would be inconsistent with the composition of TCU Place and SaskTel Centre Boards.

Further, to create such a position arguably runs contrary to the right of City Council, as the sole Member, to appoint Board members and thereby decide the persons responsible to administer significant City owned assets. In addition, in consideration of whether to create such a position, it is noted that after serving a six-year maximum a Board member is eligible for reappointment after serving a three-year absence. It is not the recommendation of the Governance Subcommittee to allow for this position.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that the appointments of Directors continue to be made by City Council in its sole discretion and the Corporate Bylaws of the Controlled Corporations be amended to make this clear.

ISSUE #2: RESIDENCY OF DIRECTORS

The Rемаi Modern seeks to include the appointment of Board members from outside the City or Province. None of the art gallery governance models in the comparison jurisdictions explicitly restrict board membership to local residents. Two of the comparison facilities, Museum London and the Vancouver Art Gallery, are primarily municipally funded (the remainder are established and primarily funded by the provinces).¹

¹ Musee d'art contemporain de Montreal, the Montreal Museum of Fine Arts, the Art Gallery of Ontario, and the Winnipeg Art Gallery are primarily provincially funded and are independent Crown corporations (see the galleries' respective annual financial statements, and s. 33 of the *National Museums Act*; s. 14 of *An Act Respecting the Montreal Museum of Fine Arts*; and s. 16 of the *Art Gallery of Ontario Act*). Museum London is primarily city-funded and is board-controlled (see s. 10.1 of London's By-law No. A.-

The Rемаi Modern Board's rationale for this request is tied to the significant fundraising obligations of the Board. Similar to the issues raised regarding the size of the Rемаi Modern Board, however, more diversity in membership on the Foundation Board would arguably likewise achieve the same result. Maintaining the residency requirement within the City for the Rемаi Modern Board is consistent with the composition of the other Controlled Corporation Boards.

OPTIONS

Option 1: Maintain the Status Quo: All Board Members to be Residents of the City of Saskatoon

This option proposes to maintain the status quo and require that all members of the Board be residents of the City of Saskatoon. There are no financial, legal or implementation challenges with respect to this option.

Advantages:

- Provides recognition that these are City assets and decisions should be made by City residents.
- Minimizes the costs of having to pay expenses for out of town Directors.

Disadvantages:

- Provides less flexibility to the Controlled Corporations.
- May affect the ability to recruit Directors.

Option 2: Allow Appointment of Two Non-Resident Board Members

This option would allow for two members of the Board for each Controlled Corporation to be a non-resident of the City of Saskatoon. Anyone could apply to be a Director of a Controlled Corporation, but appointments of Directors would still ultimately be up to City Council as outlined previously.

Under this option, non-resident members of each Board would be limited to a maximum of two at any given time. Non-resident members could be prevented from voting on the budget to prevent concerns regarding use of taxpayer funds. This option would require amendment to the Corporate Bylaws of the Controlled Corporations and Policy No. C01-003, *Appointments to Civic Boards, Commissions, Authorities and Committees*. There may also be financial implications in increased expenses for those Directors of the Controlled Corporation.

6869-273, and any of London's municipal budgets. The Vancouver Art Gallery is primarily city-funded and is member-controlled (see s. 5.2 of the Association's Bylaws, and any of the Gallery's Annual Reports).

Advantages:

- Provides some flexibility to the Controlled Corporations.
- Increases the pool from which to recruit Directors.
- Still provides for a majority of each Board to be residents of Saskatoon.

Disadvantages:

- Added costs for payment of expenses for Directors of Controlled Corporations.
- Perception that only residents of the City of Saskatoon should have a say regarding City assets.

Option 3: Remove the Residency Requirement

This option would remove the residency requirement entirely. Anyone could apply to be a Director of a Controlled Corporation, but appointments of Directors would still ultimately be up to City Council as outlined previously. Non-resident members could be prevented from voting on the budget to prevent concerns requiring use of taxpayer funds. This option would require amendment to the Corporate Bylaws of the Controlled Corporations and Policy No. C01-003, *Appointments to Civic Boards, Commissions, Authorities and Committees*. There may also be financial implications in increased expenses for Directors of the Controlled Corporations.

Advantages:

- Provides the most flexibility to the Controlled Corporations.
- Increases the pool from which to recruit Directors.

Disadvantages:

- Added costs for payment of expenses for Directors of Controlled Corporations.
- Perception that only residents of the City of Saskatoon should have a say on City of Saskatoon assets.
- Boards could entirely be made of non-resident Directors.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that the Corporate Bylaws and Policy No. C01-003, *Appointments to Civic Boards, Commissions, Authorities and Committees* be amended to allow each Controlled Corporation to have a maximum of two non-resident members but that the non-resident members not be allowed to vote on the annual budget. (Option 2: Allow Appointment of Two Non-Resident Board Members).

RATIONALE

It is important that the Controlled Corporations have sound and qualified Boards of Directors. Allowing for a greater pool of candidates may allow for better recruitment of candidates. In addition, this option recognizes that there are many potential candidates that may work in Saskatoon, own businesses in Saskatoon or have other financial

assets in Saskatoon but live in an outlying area. This option would allow for some of these individuals to become Directors.

This option would also allow some flexibility to the Rемаi Modern Board in recruiting external members to sit on the Board. This practice is consistent with that of other art galleries.

City Council would still maintain ultimate control in who is appointed to the Boards and could choose resident applicants if qualified applicants exist over non-resident applicants. In addition, by limiting it to a maximum of two members, it still requires a majority of each Board to be residents of the City of Saskatoon. As these Controlled Corporations are potentially taxpayer funded, there is merit in having a rule that non-resident members of the Boards cannot vote on the annual budget. These Board members would be allowed to participate and vote in other discussions that have financial implications.

ISSUE #3: LENGTH OF APPOINTMENT

Currently, the governance documents of each of the Controlled Corporations provide for two-year terms with a maximum of six years. This is consistent with the terms of Policy No. C01-003, *Appointment to Civic Boards, Commissions, Authorities and Committees*. The Policy contemplates extensions with the express consent of City Council. The Rемаi Modern Board has requested the option of allowing Directors to serve a longer period of time. In addition, the Governance Subcommittee believes there is merit in having the end dates of Directors staggered in order to provide continuity on the Boards.

Six years is a lengthy period of time. After some period of time, the Governance Subcommittee believes that there is merit in having new members appointed to the Boards to bring a fresh perspective to the issues at hand.

The Governance Subcommittee recommends that the status quo be maintained and that two-year appointments to a maximum of six consecutive years remain in place. After a three-year hiatus, Board members would be eligible to sit on the Board again.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that the status quo of two-year appointments to a maximum of six consecutive years remain in place.

ISSUE #4: BOARD RECRUITMENT

The previously mentioned *OECD Guidelines* emphasize that it is important for boards to conduct detailed annual self-evaluations, and indicate that this may be a useful form of non-financial reporting:

*"SOE boards should, under the Chair's oversight, carry out an annual, well-structured evaluation to appraise their performance and efficiency.
[...]"*

The outcomes of board evaluations can also serve as a helpful source of information for future board nomination processes. However, a balance needs to be struck: board evaluations may be used to alert the ownership entity to a need to recruit future board members with specific skills that are needed in a given SOE board. But they should generally not be used as a tool for “deselecting” individual existent directors which could discourage them from playing an active, and perhaps critical, role in the board’s discussions.”²

This reporting function appears to be fulfilled by the City's newly adopted Board Recruitment Process, which includes procedures for identifying skill gaps, and conducting performance reviews of past Directors.³ So long as City Council's ability to appoint and remove Directors is maintained, it is recommended that no further change be made on this point.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that the Board Recruitment Process remain status quo.

² *Guidelines*, supra note 6, page 75.

³ See City Council Revised Agenda for August 28, 2017, online: <https://pub-saskatoon.escribemeetings.com/FileStream.ashx?DocumentId=37697>, pages 562-568.

Committees of the Boards Considerations and Options

INTRODUCTION

The purpose of this Appendix is to address issues and options with respect to Board committees of the Controlled Corporations. In doing so, this Appendix addresses the following key questions:

- What types of committees should the Boards have?
- What should the composition of those committees look like?

ISSUES AND OPTIONS

ISSUE #1: TYPES OF COMMITTEES

According to research, typical standing committees of non-profit boards are:

- Audit Committee.
- Executive Committee.
- Nominating Committee.¹

Typical special committees of non-profit boards are:

- Personnel/Human Resources Committee.
- Fundraising Committee.
- Programming Committee.²

Less frequent, but still common special committees are:

- Communications Committee.
- Compensation Committee.
- Volunteer Committees.³

The Remail Modern Board has requested a Corporate Bylaw amendment to require the establishment of the following committees: Executive Committee, Audit and Finance Committee, Governance Committee, Development Committee, Human Resources Committee, Collection Committee and the Nominations Committee.

Specifying the actual committees that must be established in the Corporate Bylaws would make it cumbersome to restructure or change committees. As these are separate legal entities, there is merit in allowing the Boards to decide the types and numbers of committees they should have. The one exception is an Audit Committee, which is a generally recognized practice of good board governance. Audit Committees

¹ Broder, Peter, Ed. *Primer for Directors of Not-for-Profit Corporations*. Industry Canada, 2002, online: [https://www.ic.gc.ca/eic/site/cilp-pdci.nsf/vwapj/Primer_en.pdf/\\$FILE/Primer_en.pdf](https://www.ic.gc.ca/eic/site/cilp-pdci.nsf/vwapj/Primer_en.pdf/$FILE/Primer_en.pdf), pages 55-58.

² *Ibid*, at p. 54

³ *Ibid*

are already required by the Corporate Bylaws of the Controlled Corporations. However, City Council would have the option to specify the establishment of any or all committees of each Board. Appendix 5 also contains a recommendation to establish a CEO Recruitment/Performance Committee.

Committees should be advisory in nature. It should be clear that all decisions required must be made at the Board level. Decisions should not be delegated to committees. In addition, having a clear terms of reference for each committee would represent good governance.

OPTIONS

Option 1: Maintain Status Quo

This option would maintain the status quo. As currently required by the Bylaws of the Controlled Corporations, the establishment of an Audit Committee would be required. However, the establishment of other committees would be left to the decision of the Board. This option has no financial, legal or implementation concerns.

Advantages:

- Corporate Bylaw amendments are not required.
- Allows for creation of committees as needed by the Boards.
- Allows for flexibility and ease of change.

Disadvantages:

- Creation of committees will be left up to the Boards so no input by City Council.

Option 2: Amend Corporate Bylaws to Require Establishment of Specified Committees

This option would require amendment to the Corporate Bylaws to mandate the establishment of specified committees. Committees could include any or all of the following: Executive Committee, Nominating Committee, Personnel/Human Resources Committee, Fundraising Committee, Programming Committee, Communications Committee, Compensation Committee and Volunteer Committees. There are no financial or legal implications to this option.

Advantages:

- City Council has input into the required committees.

Disadvantages:

- Does not allow for committees to be created as needed by the Boards.
- Approach would be cumbersome if changes to committees were required.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that an Audit Committee be required to be established and that the Corporate Bylaws of the Controlled Corporations be amended to clarify that committees shall be advisory in nature only and that all decisions must be made by the Boards. (Option 1: Maintain Status Quo)

RATIONALE

The Controlled Corporations are separate legal entities. Their business needs may change with the passage of time. They should be provided with some flexibility as to how their Boards are structured. The creation of committees is part of that decision. The number and type of committees will vary depending on the current activities of each Controlled Corporation.

However, it is a best practice of good governance that all decisions must be made by the Board. Committees can provide recommendations, but all decisions must come to the Board for resolution. Committees should have no authority to make financial decisions, enter into contracts, or in any way bind the Controlled Corporations. We are recommending that the Corporate Bylaws of the Controlled Corporations be amended to make this clear. In addition, as part of the Board orientation, the need for clear terms of reference for each committee will be highlighted.

ISSUE #2: COMPOSITION OF COMMITTEES

Who sits on what committee will depend on the nature of the committee. It may be prudent, depending on their mandate, to include members other than Directors. However, as outlined above, the Corporate Bylaws should clearly identify that the decision or recommendation of a committee is not a decision of a Controlled Corporation until approved by the Board.

The size and membership of Board committees will vary with the circumstances of the particular Controlled Corporation. However some general principles governing who should sit on Board committees is as follows:

“It is essential that specialised board committees be chaired by a nonexecutive and include a sufficient number of independent members. The proportion of independent members as well as the type of independence required (e.g. from management or from the main owner) will depend on the type of committee, the sensitivity of the issue to conflicts of interests, and the SOE [state-owned enterprise] sector. The audit committee, for example, should be composed of only independent and financially literate board members. To ensure efficiency, the composition of board committees should include qualified and competent members with adequate technical expertise.”⁴

⁴ Organisation for Economic Co-operation and Development, *Guidelines on Corporate Governance of State-Owned Enterprises*, 2015 ed., online: <https://www.oecd-ilibrary.org/governance/oecd-guidelines-on->

The ideal composition of committees may vary depending on their function. Audit Committees for example, should be composed of independent and financially literate Board members.⁵ “The scope and definition of independence varies considerably according to national legal context and codes of corporate governance”.⁶ What is meant by “independence” in the context of a Controlled Corporation is obviously different than, for example, in the private, for-profit sector. So, for example, while a member of Council does not have any personal financial stake in the Controlled Corporations, they do represent the interests of the City, which is the sole Member. While the interests of the sole Member are a primary consideration in determining what is in the best interests of the Corporations, the best interests of the Member and each Controlled Corporation are not necessarily identical, and a member of Council may be at greater risk of incorrectly conflating those two interests than a more independent committee member would be.

This may be different for other committees. It may be appropriate to have a member of Council sit on a committee where they have particularly relevant expertise and where there are a sufficient number of seats available for other independent committee members.

Currently, the Corporate Bylaws of the Controlled Corporations do not speak to the composition of committees. In respect of TCU Place, however, the TCU Place Board Governance Manual (2019) provides that the Board’s Executive Committee shall consist of the Chair, Vice-Chair, Treasurer and Secretary, which positions shall be recommended by the Governance Committee of the Board from the citizen appointments. In other words, members of Council and the City Administration appointed to the Board would be precluded from sitting on the Executive Committee of the TCU Place Board. On the face of the information received from the other Controlled Corporations, no similar restriction could be found in respect of those facilities.

OPTIONS

Option 1: Maintain Status Quo

This option would maintain the status quo and let the Boards determine committee membership. This also permits the Boards to restrict committee membership, similar to what the practice is at the TCU Place Board. This option has no financial, legal or other implementation challenges.

Advantages:

- Provides flexibility to the Boards to determine appropriate membership to their committees.

[corporate-governance-of-state-owned-enterprises-2015_9789264244160-en;jsessionid=jkFK3yPniQ02mXygro4B93ke.ip-10-240-5-95](https://www.saskatoon.ca/corporate-governance-of-state-owned-enterprises-2015_9789264244160-en;jsessionid=jkFK3yPniQ02mXygro4B93ke.ip-10-240-5-95), page 74.

⁵ *Ibid*

⁶ *Ibid*, at p. 15

- Would not require Corporate Bylaw amendments.

Disadvantages:

- Composition would be left up to the Boards and City Council would not have control over the composition of committees.

Option 2: Set Parameters in the Corporate Bylaws for Committee Composition

This option would have City Council determine the particular composition of each committee for the Boards in their Corporate Bylaws. The Corporate Bylaws of each Controlled Corporation would need to be amended. This option has no financial implications.

Advantages:

- Establishes set parameters for the composition of committees.
- City Council would have control over the composition of committees.

Disadvantages:

- Provides no flexibility to the Boards to determine appropriate membership to committees.
- Composition changes would be cumbersome and require Corporate Bylaw amendments.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that the determination of committee composition be left up to the Boards. (Option 1: Maintain Status Quo)

RATIONALE

Composition of committees will change as the business needs of the Controlled Corporations change. The Boards should be left with the flexibility to determine who should be on what committee. However, it is important that the Corporate Bylaws specify that committees of the Boards cannot make decisions and that all decisions must be made by the Boards.

Management of the Controlled Corporations Considerations and Options

INTRODUCTION

This Appendix addresses various issues with respect to the management of the City's Controlled Corporations, including the relationship between the City and the Controlled Corporations. More specifically, this Appendix addresses key issues such as:

- Should the Controlled Corporations be required to have uniform policies? If so, what might those be?
- Should other more administrative or operational policies be implemented by the Controlled Corporations?
- What services do the City Administration provide to the Controlled Corporations? Should this be expanded? If so, what mechanisms can be implemented to ensure a more efficient and streamlined approach can evolve?
- Should City Council provide additional oversight into the selection of the CEOs for the Controlled Corporations?
- Should the City and the Controlled Corporations establish a Memorandum of Understanding and Operating Agreement for each facility to further clarify and enhance the relationship and roles between the City and the Controlled Corporations?

Where applicable, this Appendix provides options and recommendations for consideration of ways in which to resolve the issues identified above. The proposed recommendations attempt to strike a reasonable balance between corporate independence and shareholder oversight. On one hand, the Controlled Corporations have been created as separate arms' length corporations who operate independently from the City. On the other hand, the City, as the sole Member of the Controlled Corporations and the owner of these major assets, needs to provide some level of oversight to protect its interest.

ISSUES AND OPTIONS

ISSUE #1: ADOPTION OF UNIFORM POLICIES

Appendix 1 contains a list of all policies identified by the Controlled Corporation Boards as being adopted to govern the actions of the Boards and the facilities' staff.

DIRECTORS' CODE OF CONDUCT AND THE DIRECTORS' ANTI-HARASSMENT POLICY

Each of the City's Controlled Corporations have adopted the *Directors' Code of Conduct* (the "Code"), and the *Directors' Anti-Harassment Policy*, in respect of Board Member conduct.

The Code sets out the ethical duties and principles to which Directors are required to adhere, and largely mirror the responsibilities required by the NPCA. For example, the

Code specifically recognizes a Director's fiduciary duties to act in the best interest of the Controlled Corporation, to avoid taking personal advantage of corporate opportunities, to protect confidential information and avoid conflicts of interest, and adhere to the *Directors' Anti-Harassment Policy*.

The Code also describes the complaints investigation process and provides the Board Chair or Vice-Chair, as required, the discretion to investigate complaints. There are no existing obligations for the Board to involve or otherwise inform the City of complaints unless a recommendation for removal of a Board member is made to GPC. City Council, however, has reserved to itself the ability, for any reason it thinks fit, to remove Directors from the Boards.

Attached to the Code is the *Directors' Anti-Harassment Policy*, which defines different forms of harassment, establishes the rights and obligation of Directors to maintain a harassment-free workplace, and outlines the complaint investigation process. The complaints investigation process is the responsibility of the Board Chair or Vice-Chair, as required.

These two policies have existed in their current form since 2006. Accordingly, the Governance Subcommittee recommends that they be reviewed and revised. Such an update is timely considering City Council's recent consideration of its own Code of Ethics Bylaw.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that the Governance Subcommittee update the *Directors' Code of Conduct* and the *Directors' Anti-Harassment Policy* and that the new policies be provided to the Controlled Corporations for adoption.

ADOPTION OF OTHER POLICIES

The Governance Subcommittee also identified a number of other areas where the City would benefit from having the Controlled Corporations implement uniform policies.

These policies would include:

- **Protection of Public Funds:**
 - Financial Responsibility and Transparency
 - A consistent policy addressing borrowing limits, debt limits, financial controls including approval limits, approvals required for a board to apply for capital funds from senior levels of government, budget process, and financial accounting practices would help provide correlation between the practices of the City and the Controlled Corporations. This approach would be helpful when it comes to coordination of budgets.
 - A consistent purchasing policy which ensures compliance with our trade treaty obligations.
 - A consistent travel and expense policy with respect to employees.

- **Ensuring a Safe, Respectful and Harassment-Free Workplace:**
 - Respectful and Harassment-Free Workplace Policy
 - A harassment policy is required by provincial legislation. It would be prudent to provide a comprehensive and standardized process to ensure that complaints are handled appropriately and within a timely fashion.
 - Drug and Alcohol Policy
 - Employee Code of Conduct and Conflict of Interest Policy

SaskTel Centre already has policies in place covering many of these matters in some fashion. Remai Modern and TCU Place have policies addressing some of them.

In drafting these uniform policies the Governance Subcommittee would draw on the policies already developed by the Controlled Corporations, as well as City policies and other sources, to create standard policies that, while uniform, are nonetheless comprehensive enough to be functional for each specific facility. In drawing from the policies already in place, the SaskTel Centre's policies could be the primary source for the Financial Responsibility and Transparency Policy. Engagement with the City's Corporate Financial Services Department would be crucial. The City's own Policy No. A04-026, *Respectful and Harassment-Free Workplace Policy* and Policy No. A04-021, *Alcohol and Drug Policy* could form the basis for the corresponding Controlled Corporation versions.

The above list is not exhaustive. Other policies may be considered. For example, a CEO Recruitment Policy. Likewise, consideration of a Tickets for Board Members or House Seats Policy might be prudent.

Short of requiring the Controlled Corporations to adopt uniform policies drafted by the City, an alternative would be to have the City identify the policies that each Controlled Corporation must have and leave the content of such policies to the discretion of the Controlled Corporations. This would be a reasonable approach recognizing the status of the Controlled Corporations as independent corporations. The Governance Subcommittee is recommending a hybrid whereby the policies identified above would be drafted by the City for adoption by each Controlled Corporation Board and the need for additional policies would be left up to the Board of each Controlled Corporation. The Governance Subcommittee will develop a list of policies that represent good governance and provide it to the Controlled Corporations as part of the Board orientation. Development of those policies will be left up to the Boards of each Controlled Corporation.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council:

1. That the Governance Subcommittee draft Financial/Transparency policies, a Respectful and Harassment-Free Workplace Policy, a Drug and Alcohol Policy, an Employee Code of Conduct and Conflict of Interest Policy, and any other policies as required, in consultation with the Controlled Corporations and that the new policies be provided to the Controlled Corporations for adoption.
2. That the Governance Subcommittee develop a list of other policies to be drafted and adopted by the Controlled Corporation Boards.

ISSUE #2: SHARING CITY SERVICES

In response to City Council's resolution of November 26 & 27, 2018, representatives of the City in each of the Human Resources (HR), Information Technology (IT), Corporate Financial Services (Finance), City Solicitor's Office (Legal) and Indigenous Initiatives areas were engaged, along with the Chief Executive Officers of the Controlled Corporations and the Saskatoon Public Library ("SPL") to determine the level of service currently provided to those entities by the City and the extent to which those functions are addressed in house.

Appendix 5A provides details of the shared services engagement. To summarize:

- Legal Services
 - Neither the Controlled Corporations nor the SPL strictly obtain legal services in house.
 - SaskTel Centre and TCU Place reported that such services are strictly provided by the City, while both the Remai Modern and the SPL reported a hybrid of receiving service from the City Solicitor's Office and through the hiring of third-party private counsel.
 - With the exception of annually arranging appropriate insurance coverage for the Controlled Corporations and the SPL, the City Solicitor's Office responds to requests for assistance from each entity.
- Financial Services
 - Each of the Controlled Corporations are largely independent in respect of financial services.
 - Each Controlled Corporation has its own finance employees, manages daily financial transactions, prepares their own budgets and has its own accounting software, processes and policies.
 - However, payroll services are provided by the City for all of the Controlled Corporations and the SPL. Implementation of the ERP system may result in changes.
- IT Support
 - All of the Controlled Corporations and the SPL report that IT support is strictly provided in house. The exception is the VOIP phone system.

- HR Support
 - Each Board has hired or contracted its own Human Resources' personnel; however, assistance from the City is required from time to time.
 - The City handles criminal records and vulnerable sector checks for employees, manages loans for computer/exercise equipment purchases for employees, and provides immigration services if the Boards are hiring from outside Canada.
 - Although each Board has its own payroll clerks, all payments come from and are managed by the City.
 - In addition to these duties, the City provides advice and guidance whenever asked to do so regarding workforce planning, performance management, recruitment/selection of employees, contracts, addressing grievances, succession planning, executive contracts, salary, discipline and harassment consultation/investigation.
 - The City also provides Occupational Health & Safety Services, consulting, disability and attendance management services, pension/benefits consulting services and leads bargaining activities with the various unions.
- Indigenous Initiatives
 - All of the Controlled Corporations report that they manage Indigenous Initiatives in house.
 - All of the Controlled Corporations and the SPL report that they consult with the City's Director of Indigenous Initiatives as needed.

The engagement results reveal that the Controlled Corporations and the SPL are largely independent in how they choose to deliver corporate-type services in their organizations. In situations where the City Administration does provide assistance, it is largely at the request of the respective Controlled Corporation or Statutory Board. Moreover, the noted City departments and/or divisions do not appear to be resourced to manage all of the day-to-day responsibilities of the Controlled Corporations and the SPL.

While there may be areas to realize efficiencies by sharing services, it is prudent to remember that each of the Controlled Corporations and the SPL are arms' length entities from the City. Their independence must be recognized. To that end, it is also noted that City Council has already resolved to maintain a Controlled Corporation governance structure. Requiring that these types of services all be provided by City Administration, or alternatively requiring that City Administration be embedded in the Controlled Corporations and the SPL to perform these functions, would undermine the independence of these entities and run contrary to the governance model chosen. Pursuing either of these avenues would more closely resemble a City department model rather than maintaining the current governance structure.

There would, however, be opportunities short of requiring the performance of these functions by City Administration to potentially realize some efficiencies and streamline processes. As noted in the engagement with the City's Corporate Financial Services Department, it would be more cost-effective and efficient to require the Controlled

Corporations to follow the City's policies and create uniformity and consistency in their financial practices and reporting. In part, this is the reason for the recommendation of uniform policies in this area.

In addition, the Controlled Corporations could ask the City to provide services and the City could likely provide these services at very cost effective rates. We would recommend that this be at the option of each Controlled Corporation. However, clarity is required when the City Administration is asked to provide services to the Controlled Corporations. In those instances where the City Administration is providing services, or is being asked to provide services, the Governance Subcommittee recommends that Service Agreements be entered into between the City and each Controlled Corporation. This provides a clear framework as to what services are being provided and at what cost. The Technical Advisory Committee could assist in the development and administration of these Service Agreements.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that services be provided to the Controlled Corporations only upon request and that Service Agreements be entered into for the provision of those services.

ISSUE #3: CITY COUNCIL OVERSIGHT OF CEO APPOINTMENTS

The *OECD Guidelines* state as follows regarding oversight of CEO appointments for state-owned enterprises (SOEs):

"One key function of SOE boards should be the appointment and dismissal of CEOs. Without this authority it is difficult for SOE boards to fully exercise their monitoring function and assume responsibility for SOEs' performance. In some cases, this might be done in concurrence or consultation with the ownership entity."

*Some countries deviate from this good practice and in the case of fully state owned SOEs allow the state to appoint directly a CEO. To ensure that the integrity of the board is maintained, good practice would at least require consultations with the board."*¹

Given the presence of Council members on each Board, there is an argument that the City should refrain from exerting increased oversight of CEO appointments. This would appear to be in accordance with the practice described above, in respect of a board's discretion in this area. However, the above quote also recognizes that in some cases a state will reserve to itself the right to appoint a CEO directly. Given the desire to achieve standardization of process and to facilitate accountability and transparency in management of the City's Controlled Corporations, City Council should consider whether it wishes to maintain some oversight in the appointment of the respective CEOs and the approval of CEO contracts.

¹ *Guidelines, supra* note 6, page 70.

OPTIONS

Option 1: Requiring Establishment of a CEO Recruitment/Performance Committee for Each Controlled Corporation

This option requires the establishment of a uniform CEO Recruitment/Performance Committee for each Controlled Corporation, and requires that its composition include at least one or more members of Council depending on what is decided in terms of Board composition. Consistent terms of reference for such a committee would be required to hopefully ensure consistency in the process. A CEO Recruitment Policy would be one that City Council requires the Boards to adopt. This option would require amendment to the Corporate Bylaws of the Controlled Corporations. There are no other legal, financial, or implementation challenges with this option.

Advantages:

- Provides for a consistent approach to CEO recruitment between the Controlled Corporations.
- Provides a balance between City involvement and independence of the Controlled Corporations.

Disadvantages:

- Provides less flexibility to the Controlled Corporations.

Option 2: Development of a Reporting or Engagement Process Between the City and the Controlled Corporations

This option requires the development of a reporting or engagement process such that GPC, City Council or a member of the City Administration would have the opportunity to participate in the vetting process of potential applicants for a position of CEO. They would also participate in the negotiation of CEO contracts to ensure consistency in the processes and in the terms of employment. This option would require amendment to the Corporate Bylaws of the Controlled Corporations. There would be no other legal, financial or implementation challenges.

Advantages:

- Provides for City input into the recruitment and hiring of a CEO.
- Provides for consistent terms of employment between the Controlled Corporations.

Disadvantages:

- Involves the City heavily in CEO recruitment.
- Does not recognize the independence of the Controlled Corporations.

Option 3: Require the Adoption of a CEO Recruitment Policy for Each Board

This option proposes that each Controlled Corporation develop a CEO Recruitment Policy to address recruitment and employment parameters for the hiring of a CEO. The City would have no involvement in the development of the Policy. Composition of any hiring committee would be left up to each Controlled Corporation. However, as outlined previously, any recommendation of the committee would have to come to the Board for approval. This option could have financial challenges as compensation to CEOs could vary widely between the Controlled Corporations and the City. This option has no legal or other implementation challenges.

Advantages:

- Provides flexibility to the Controlled Corporations.
- Recognizes the independence of the Controlled Corporations.

Disadvantages:

- CEO recruitment between Controlled Corporations could be inconsistent.
- Potentially no City involvement in the CEO recruitment process.

Option 4: Maintain Status Quo

This option proposes that the status quo be maintained and the recruitment of a CEO be left entirely to the Board. It would be up to the Board to determine if a policy was required and to decide on the terms and conditions of employment. This option could have financial challenges as compensation to CEOs could vary widely between the Controlled Corporations and the City. This option has no legal or other implementation challenges.

Advantages:

- Provides flexibility to the Controlled Corporations.
- Recognizes the independence of the Controlled Corporations.

Disadvantages:

- CEO recruitment between Controlled Corporations could be inconsistent.
- Potentially no City involvement in the CEO recruitment process.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that:

1. A uniform CEO Recruitment Policy be drafted by the Governance Subcommittee and provided to the Controlled Corporations for adoption.
2. The Corporate Bylaws of the Controlled Corporations be amended to require the establishment of a CEO Recruitment/Performance Committee for each Controlled Corporation.

3. A City Councillor be appointed to the CEO Recruitment/Performance Committee for each Controlled Corporation (Option 1: Requiring Establishment of a CEO Recruitment/Performance Committee for Each Controlled Corporation).

RATIONALE

The CEO is fundamental to manage the operation of each of the Controlled Corporations. The Controlled Corporations have to be provided with the ability to recruit and retain their own CEOs. It is a key function of the Boards of the Controlled Corporations as outlined by the literature.

However, the City is the sole Member of the Controlled Corporations and public money is being spent to fund the budget of each Controlled Corporation. Therefore, having some consistency between the Controlled Corporations and with the City itself in terms of recruitment practices and terms and conditions of employment is appropriate. However, it is the intention of the Governance Subcommittee to draft a CEO Recruitment Policy with as much flexibility as possible to the Controlled Corporations.

Having a City Councillor appointed to a CEO Recruitment/Performance Committee provides some voice to the City in the process. Despite their allegiance to City Council, the Councillor would be expected to act in the best interests of the Controlled Corporations. Any recommendation of a CEO Recruitment/Performance Committee would require approval by the entire Board.

The Governance Subcommittee feels this option strikes an appropriate balance between independence of the Controlled Corporations and the need for some consistency between the City and the Controlled Corporations.

ISSUE #4: ESTABLISHING ROLES AND RESPONSIBILITIES BETWEEN THE CITY AND THE CONTROLLED CORPORATIONS

Good governance requires that the roles and responsibilities of the Controlled Corporations and the City be clearly articulated and understood by both parties. There are many different ways that the roles and responsibilities between the Controlled Corporations and the City could be recognized.

MEMORANDUM OF UNDERSTANDING

One approach to accomplish this would be through the establishment of an individual Memorandum of Understanding (MOU) between the City and each Controlled Corporation.

The MOU could establish a more clear relationship between the City and an individual Controlled Corporation by clarifying:

- The governance framework of each Controlled Corporation.
- The role of each Controlled Corporation.
- The role of the City.

- The reporting relationship and structure between the City and each Controlled Corporation.
- The desire for consistent employee salaries and terms and conditions of employment for each Controlled Corporation.
- Other such matters as negotiated between the Controlled Corporations and the City.

A MOU would be a high-level framework document to complement the Corporate Bylaws of each Controlled Corporation. The Governance Subcommittee, in consultation with the Controlled Corporations, would draft an MOU for each Controlled Corporation and bring each back to City Council for approval. Each Controlled Corporation would also need to approve the MOU.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that the City Solicitor negotiate a Memorandum of Understanding with each Controlled Corporation and bring each back to City Council for approval.

OPERATING AGREEMENT

Each Controlled Corporation operates a City-owned facility. These facilities are worth significant value to the City of Saskatoon.

Historically, there has been no formal Operating Agreement between the City and the Controlled Corporations regarding the management and/or operation of these facilities. The Governance Subcommittee believes that there would be benefit in having an Operating Agreement between the City and each Controlled Corporation. This Agreement could set out the roles and responsibilities of each party with respect to the day-to-day operation of each facility. This could include insurance, building condition, building upgrades and other similar items.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that the City Solicitor negotiate an Operating Agreement with each Controlled Corporation and bring each back to City Council for approval.

APPENDICES

5A Shared Services Comparison – Controlled Corporations

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q			
1																	Appendix 5a			
2	Current State - Shared Services - Controlled Corporations, Library Board and City of Saskatoon																			
3																				
4		Legal Services			Financial Services			IT Support			Human Resources Support			Indigenous Initiatives			CEO Comments			
5		Strictly In House	Strictly City Provided	Shared between In House & City	Strictly In House	Strictly City Provided	Shared between In House & City	Strictly In House	Strictly City Provided	Shared between In House & City	Strictly In House	Strictly City Provided	Shared between In House & City	Strictly In House	Strictly City Provided	Shared between In House & City				
6	SaskTel Centre		✓		✓			✓				✓		✓			They have recently hired a Chief Strategy and People Officer to oversee their Human Resources and Strategy needs, which will lessen their needs from the City's Human Resources Department. However, it is the understanding that the City's Human Resources Department will continue to represent them regarding union related matters. Their Chief Strategy and People Officer will oversee Indigenous initiatives for them. Liaising with the City's Human Resources Department will continue to be needed so that a consistent message is communicated. It is unclear what is expected in terms of the City providing other HR supports such as job evaluation, compensation, recruitment, pension, benefits, disability support.			
7	TCU Place		✓		✓			✓				✓		✓			The City generally provides an advisory role with respect to Human Resources. Various support mechanisms are informed through the City to include recruitment and selection, labour initiatives issues and collective bargaining. For IT, they contract a private sector provider with the exception of the telephone system. They have been asked to participate in the upcoming ERP system with the City. For Indigenous Initiatives, they do a lot of work with the Indigenous Community and have not yet collaborated with the City on this issue, but are open to the potential of collaboration in the future. With respect to financial matters, all is handled in-house; however, the City handles some procurement.			
8	Remai			✓	✓			✓				✓		✓			For the areas of Human Resources, IT, Finance and Indigenous Initiatives, they use a mixture of employees, consultants and contractors for those services. They do receive some support from the City for facilities/custodial services and legal services. They also rely on HR services and advice from the City. It is unclear what is expected in terms of the City providing other HR supports such as job evaluation, compensation, recruitment, pension, benefits, disability support, labour relations support.			
9	Library			✓			✓	✓				✓				✓	The Library talks to the City Human Resources Department regarding bargaining mandate and also consults with the City's Human Resources Department regarding pensions. For financial services, the Library works with the City's Finance Department through payroll, budget and paying any invoices. On occasion, the City's resources have been used for procurement, building operators and facilities management. For legal services, the Library requests the City Solicitor's Office to assist but also retains outside counsel on occasion. For Indigenous Initiatives, the Library consults with the Director of Indigenous Initiatives as required. The Library works with the City through their work on Reconciliation Saskatoon. The Library supports the Director of Indigenous Initiatives in his work and he supports the Library in theirs. For IT services, they use City-supported IT products such as VOIP phone and Outlook for email but do not receive direct support from the City's IT Department.			
10	City Comments	The City Solicitor's Office provides legal services to the Controlled Corporations when asked. The Remai Modern is the only Controlled Corporation that has chosen at times to retain their own legal counsel. The City Solicitor's Office does not cross charge for any services provided. The City Solicitor's Office also arranges for insurance for the Controlled Corporations. The Controlled Corporations do contribute funds to the insurance budget.				The City's Corporate Financial Services Department commented that the Controlled Corporations are fairly independent when it comes to finances. They each have their own finance employees, manage daily financial transactions, prepare their own budget and have their own accounting software, processes and policies. The payroll that comes from the Corporations goes through Corporate Pay office and the City looks after paying deductions, etc. for employees. The Corporate Financial Services Department prepares the City's portion of the Controlled Corporations' budgets. Corporate Financial Services commented that they do not believe that it would be cost-effective to bring the Controlled Corporations' finance in-house and suggested that rather than the City providing in-house services, the Controlled Corporations be required to follow City policies and have specific requirements that they need to follow to ensure uniformity and consistency. Finally, Corporate Financial Services commented that when ERP comes on board, there may be other changes to consider.				Each Board has hired or contracted their own Human Resources personnel; however, assistance from the City is required from time to time. The City handles criminal records and vulnerable sector checks for employees, manages loans for computer/exercise equipment purchases for employees, and provides immigration services if the Boards are hiring from outside Canada. Although each Board has their own payroll clerks, all payments come from and are managed by the City in SmartStream. In addition to these duties, the City provides advice and guidance whenever asked to do so regarding workforce planning, performance management, recruitment/selection of employees, contracts, addressing grievances, succession planning, executive contracts, salary, discipline, and harassment consultation/investigation. The City also provides OHS consulting services, disability and attendance management services, pension/benefits consulting services and leads bargaining activities with the various unions. To summarize, it is unclear to the City what the role of the HR services providers working for the Board's is and what is expected in terms of the City providing other HR supports such as advising services, job evaluation, compensation, recruitment, pension, benefits, disability or labour initiatives support. The City is not currently resourced to support the Boards and is unable to meet their needs which has resulted in a lack of consistent HR practices across the Boards and in some cases gaps in best practice applications. The new HR service delivery model provides scalability, economies of scale for specialized service delivery and consistency of approach which would benefit the Boards and the City if it were leveraged to provide support more formally. Options exist for both centralized service delivery and a hybrid model of services which could be mutually beneficial to the Boards and the City both financially, and from a risk management perspective. Serious consideration should be given to re-visiting the service model for HR.				The City's Director of Indigenous Initiatives has been consulted on occasion by the Controlled Corporations with respect to employment and recruitment matters, ceremonial activities, inclusion, education and strategic planning.						
11																				
12																				
13																				
14																				

Governance Review of Controlled Corporations – Governance Details – Engagement Results

ISSUE

City Council has decided to continue with the Controlled Corporation model as a means of governing Saskatchewan Place Association Inc. (SaskTel Centre), The Centennial Auditorium & Convention Centre Corporation (TCU Place) and The Art Gallery of Saskatchewan Inc. (Remai Modern). A series of recommendations are before the Governance and Priorities Committee (GPC) that attempt to build upon and improve the current governance structure. The Controlled Corporations were asked to provide feedback on the recommendations. This report presents the feedback received.

BACKGROUND

This report is intended to be considered alongside the companion report “Governance Review of Controlled Corporations – Governance Details”. The detailed history of this matter is described in the “Governance Review of Controlled Corporations – Governance Details” report.

CURRENT STATUS

The Leadership Team Governance Subcommittee (“Governance Subcommittee”) is continuing the process of reviewing and proposing recommendations for potential improvements to the governance of the City’s various Advisory Committees, Controlled Corporations, Business Improvement Districts and other agencies, boards and commissions established by the City. The report entitled “Governance Review of Controlled Corporations – Governance Details” was tabled at GPC’s public meeting on June 17, 2019 for debate at the November 12, 2019 meeting.

A copy of the report was shared with the Chief Executive Officers (CEOs) of each of the Controlled Corporations on June 13, 2019 via email. They were advised that the report would be placed on the public agenda of GPC for its November 12, 2019 meeting. The CEOs were asked to share the report with their respective Boards and provide feedback on the recommendations. The Governance Subcommittee offered to meet with the Boards to answer any questions.

The Governance Subcommittee further communicated with the CEOs via email on October 4, 2019, attaching a letter from the Governance Subcommittee. The purpose of the October 4, 2019 letter was to provide guidance on the type of questions that should be considered by the Controlled Corporations when providing feedback to the Governance Subcommittee.

Core Committee representatives of the Governance Subcommittee met with the Boards of each of the Controlled Corporations: TCU Place on October 9, 2019, Remai Modern on October 15, 2019 and SaskTel Centre on October 30, 2019. In addition to the

discussion at the meeting, each of the Boards were encouraged to submit written feedback on the report and recommendations. Each Board provided written feedback via email: Remai Modern's was received on October 29, 2019, TCU Place on October 30, 2019 and SaskTel Centre on October 31, 2019.

DISCUSSION/ANALYSIS

The Boards of each of the Controlled Corporations were encouraged to provide written feedback on the "Governance Review of Controlled Corporations – Governance Details" report. The Core Committee representatives undertook to organize and assemble the information for presentation to GPC if the comments were received by October 31, 2019. Appendix 1 presents a compilation of the comments received from the Controlled Corporations related to the respective recommendations of the Governance Subcommittee. In many areas there was agreement with the proposed recommendations. The main areas where the Boards identified suggestions or alternate recommendations include:

- Appointment of Directors
 - Comments varied from maintaining the status quo to having a dual appointment process whereby both the Controlled Corporation and City Council must agree to the appointment. Along that spectrum another Board commented that there should be a mechanism whereby the Controlled Corporation has a means to discuss the rejection by City Council of a candidate for appointment recommended by the Corporation.
- Residency of Directors
 - All of the Controlled Corporations are supportive of permitting the appointment of non-resident directors. Variations to the recommendation suggested are in terms of the number of non-resident Board members permitted and to the voting rights provided to those non-resident Board members.
- Consistent Policies
 - All of the Controlled Corporations appear to accept that the *Directors' Code of Conduct* and *Anti-Harassment Policy* should be updated and apply to all Board members. Divergent views emerge as to how other policies should be established and the level of City involvement in that process.
- CEO Recruitment and Performance
 - While recognizing the potential for participation by the Board members that are also members of Council, a common theme of the Controlled Corporation comments is maintaining the Board's responsibility in CEO recruitment and performance processes.

Appendices 2 through 4 contain the individual submissions presented by each of the Controlled Corporation Boards.

In addition to the written feedback, all the Boards were encouraged to attend GPC for the debate of the report and recommendations.

NEXT STEPS

Corporate bylaws, policies and any other documentation requiring amendment will be completed in accordance with the direction of City Council arising out of debate of the “Governance Review of Controlled Corporations – Governance Details” report and the Controlled Corporation engagement process and feedback received. The Controlled Corporations will be engaged during the drafting process.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

APPENDICES

1. Summary of Rationale and Engagement Results with the Controlled Corporations
2. TCU Place Report Feedback dated October 30, 2019.
3. Remai Modern Report Feedback dated October 29, 2019.
4. SaskTel Centre Report Feedback dated October 31, 2019.

Report Approval

Written by:	Christine G. Bogad, Director of Legal Services Shellie Bryant, Deputy City Clerk Candice Leuschen, Executive Assistant to the City Solicitor
Reviewed by:	Joanne Sproule, City Clerk Mike Jordan, Chief Public Policy & Government Relations Officer Jeff Jorgenson, City Manager
Approved by:	Cindy Yelland, City Solicitor

Admin Report - Governance Review of Controlled Corporations – Governance Details – Engagement Results.docx
Our File 171.0056

**PUBLIC RESOLUTION
GOVERNANCE AND PRIORITIES COMMITTEE**

Main Category: 7. ADMINISTRATIVE AND LEGISLATIVE REPORTS

Sub-Category: 7.2 Approval Reports

Item: 7.2.2 City Council Strategic Priorities (File No. CK. 116-0 x 116-1)

Date: October 21, 2019

Any material considered at the meeting regarding this item is appended to this resolution package.

Report of the City Clerk:

"A report of the City Solicitor is attached (*Revised Appendix 1*). Also attached is an email from Councillor Gersher dated October 15, 2019 submitting an application for funding from the Strategic Priority Fund."

City Solicitor Yelland presented the report. She answered questions of the Committee along with City Manager Jorgenson, noting the funding is in place in the absence of policy; therefore, the application could be considered at this meeting.

Discussion ensued around the draft policy and criteria within the application form.

A three-minute recess was held at 4:43 pm during consideration of the item.

Moved By: Councillor Gersher

That the Governance and Priorities Committee recommend to City Council that it adopt the *City Council Strategic Priority & Leadership Initiative Policy* attached as Appendix 1 to the report of the City Solicitor dated October 21, 2019.

Moved By: Councillor Gough

1. That the following be added at the end of Section 7: "Council Member Leads must follow the strategic direction of City Council or the City when engaging with stakeholders or undertaking an activity or project. Council Member Leads cannot commit the City to a future direction in their designated Strategic Priority Area without City Council approval."; and
2. That Schedule "A" be amended to read: "1. Community Safety and Wellbeing. City Council is prioritizing an integrated and effective system of services to promote community safety and wellbeing."

IN REFERRAL

Moved By: Councillor Dubois

That the policy matter be referred back to the Administration for further review, and as part of the review, the Administration include review of the revisions proposed in Councillor Gough's foregoing motion as well as clarification with respect to the discussion on limitations and authority, timing of approval, budget, Councillor Assistants' time allocation to project, communications standards, potential for an Administrative vetting process to ensure alignment with City's strategic direction, retroactive applications, and segregation with Communication and Constituency Relations Allowance.

In Favour (10): Mayor Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gough, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, and Councillor Loewen
Against (1): Councillor Gersher

CARRIED

Moved By: Councillor Gough

That a report be forwarded to City Council recommending Councillors Loewen and Gersher be approved for up to \$4,350 from the Strategic Priority Fund for the project as presented and report back in writing to the Governance and Priorities Committee following the event outlining the results of the engagement.

In Favour (11): Mayor Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Iwanchuk, Councillor Jeffries, and Councillor Loewen

CARRIED UNANIMOUSLY



SASKATOON'S ARTS & CONVENTION CENTRE

Creating *Great* Experiences

October 28, 2019

Leadership Team Governance Subcommittee
City of Saskatoon
c/o Candice Leuschen
via email

Dear Subcommittee Members:

On behalf of the TCU Place (The Centennial Auditorium) Board of Directors, we are pleased to provide this written response to your letter dated October 4, 2019, regarding the "Governance Review of Controlled Corporations – Governance Details" Report.

Following receipt of the above-noted report and appendices this past June, the members of the governance committee of our board held a special committee meeting on August 29, 2019 to discuss the proposed recommendations, and again on September 5, 2019 toward compiling feedback and comments on these recommendations. This feedback and comments were endorsed by the full TCU Place Board of Directors on September 26, 2019, and subsequently shared with your Core Committee representatives at our governance committee meeting on October 9, 2019.

Enclosed is a matrix encompassing the feedback and comments from the TCU Place Board of Directors regarding the recommendations contained within the report. While our board endorses the majority of the recommendations put forth and accompanying rationale and research, the following are three areas of noteworthy concern suggesting further consideration from the perspective of the TCU Place Board of Directors ("TCU"). (Please see matrix for full commentary):

1. Appointment of Directors (Appendix 3; pgs. 2-4 of attached matrix): TCU seeks transparent communication between City Council and TCU regarding declined nominees recommended by TCU's governance committee. TCU recommends a consultative appointment approach to ensure alignment between nominees and skill/competency requirements identified by TCU;



SASKATOON'S ARTS & CONVENTION CENTRE

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2. Composition of Committees (Appendix 4; pgs. 5-6 of matrix): TCU is supportive of the recommendation that determination of committee composition be left up to the Boards, including the discretion to (as deemed appropriate) exclude members of City Council and City Administration from chairing committees of the board and/or sitting on the executive committee of the board;
3. City Council Oversight of CEO Appointments (Appendix 5; pgs. 8-10): TCU is supportive of consistent and adequate oversight (by the CoS) with respect to CEO recruitment, performance evaluation and compensation for the Controlled Corporations; TCU recommends that the specific structure of this oversight be left to the discretion of each board (i.e. not requiring the establishment of a CEO Recruitment/Performance Committee but mandating City Manager engagement for CEO-related matters)

In addition to the above three areas, additional feedback and comments are offered throughout the enclosed matrix for consideration by your Subcommittee, the majority of which are indicative of suggested minor changes and/or points for further clarification.

In closing, our Board wishes to acknowledge the robust and comprehensive report developed by your Subcommittee and Core Committee members. We are truly appreciative of the collective time and effort you have invested in this review and are optimistic this work sets the stage for the long-term success of TCU Place and other City of Saskatoon Controlled Corporations. We look forward to attending the GPC debate ahead and subsequent adoption of these recommendations as directed by GPC.

Ms. Jennifer Pereira, Q.C.
President
TCU Place Board of Directors

Dr. Trevor Maber
Governance Committee Chairperson
TCU Place Board of Directors

Enclosure (1)

c. TCU Board of Directors
Mr. Kerry Tarasoff, Interim Chief Operating Officer

City of Saskatoon – Governance Review
Feedback from TCU Place Board of Directors to City of Saskatoon Leadership Team Governance Subcommittee
Prepared by TCU Place Governance Committee
September 5, 2019

Appendix 2: Board of Directors of Controlled Corporations

Issue	Recommendation	Rationale	Current TCU (Potential Impact)	Feedback from TCU BoD
Board Size	That it [City Council] set a range for Board size of 6 to 15 Directors for each Controlled Corporation	Literature suggests 6-15 is appropriate; gives flexibility for adjustments should circumstances warrant; research suggests smaller boards are more effective; boards are generally decreasing in size	13 members incl 2 members of City Council; Mayor and City Manager sit on Board as voting members (TCU would be within 6-15 range; see next issue below)	TCU recommends that flexibility in terms of board size and composition be maintained (within a pre-defined range for board size); board size would continue to be dependent on TCU evolving operational and strategic needs and alignment with existing and optimal board composition (based on skills and competencies)
Board Composition	That two City Councilors be appointed to the Board of each Controlled Corporation (no Mayor or City Manager)	Provides an appropriate balance between liaison and reporting between City and Controlled Corporations; also maintains and respects independence of Controlled Corporations; excluding City Manager avoids any potential issues given that each Controlled Corporation is its own legal entity with own CEO	Two City Councilors currently sit on Board as voting members; Mayor and City Manager would no longer be members of TCU Board	TCU is supportive of this recommendation
Board Composition	That the Corporate Bylaws be amended to codify that a Director who also serves as a member of Council has the ability to report to City Council and the Governance and Priorities Committee In Camera	It would be unfair for Councilors to report to City Council on Board activities (instead they should act primarily as a liaison between Boards and City Council); each Board should formally report semi-annually or quarterly to City Council via GPC	TCU Board and Management currently provide reports to/attend at GPC on an ad hoc basis	TCU would need to build into Board timeline and ensure capacity/resources from Board and TCU Management for preparation and delivery of semi-annual or quarterly reports if this is mandated by City Council

Issue	Recommendation	Rationale	Current TCU (Potential Impact)	Feedback from TCU BoD
Board Meetings	That each Controlled Corporation adopt meeting procedures within 60 days of this resolution being passed by City Council	Legal requirement	TCU Board already has established and implemented standardized meeting procedures and practices; meeting procedures received from City Solicitor's Office have recently been reviewed and incorporated into TCU Board procedures and practices	TCU is supportive of this recommendation
Board Meetings	That it [City Council] maintain the status quo and limit meetings to occur within Saskatoon city limits	All Controlled Corporation facilities are located within the City of Saskatoon; numerous facilities available within City of Saskatoon for off-site planning retreats; reputational and financial risk to City associated with increased costs for meetings outside city limits	TCU has historically held all Board meetings and related activities within the City of Saskatoon	TCU is supportive of this recommendation
Board Orientation	That the City Clerk's Office conduct mandatory Board Orientation with each of the Controlled Corporations on an annual basis	Ensure consistent and on-going orientation to City of Saskatoon Board Orientation Manual	TCU has provided an annual Board orientation session for new Board members; TCU Board participated in onboarding and orientation session provided by City Clerk's Office on May 30, 2019	TCU is supportive of CoS-led board orientation (with corporation/site-specific orientation being delivered by each board and/or management); TCU recommends that the CoS expand its investment in the long-term training and development of board members (e.g. ICD memberships, training, certifications) toward better alignment with governance trends and best practices

Appendix 3: Directors of the Controlled Corporations

Issue	Recommendation	Rationale	Current TCU	Feedback from TCU BoD
Appointment of Directors	That the appointments of Directors continue to be made	Board appointments should remain the exclusive purview	TCU continues to follow established City of Saskatoon	TCU respects the final discretion and option to veto nominees

Issue	Recommendation	Rationale	Current TCU	Feedback from TCU BoD
	<p>by City Council in its sole discretion and the Corporate Bylaws of the Controlled Corporations be amended to make this clear</p> <p>Language could be included in the governing Corporate Bylaws as follows: “Nominees approved by the Board will be recommended to City Council for approval. City Council may appoint Directors from the proposed list of nominees, or may appoint other persons to the position of Director at its discretion.”</p>	<p>of City Council given the significance of the City assets at issue</p>	<p>protocol for the appointment of directors, including the more recent involvement of Board members in the vetting process, the opportunity for Board members to interview candidates, and making recommendations for appointment to GPC</p> <p>TCU has adopted a skills and competencies-oriented process for board recruitment and selection, toward alignment with the evolving operational and strategic needs of the organization; TCU is also exploring the need to – in alignment with governance trends and best practices – incorporate board diversity considerations (gender; ethnicity; other) into its board recruitment and selection process</p>	<p>recommended by TCU, however TCU does have concerns with any ‘black box’ approach to the veto/conflict of interest assessment (i.e. the potential for this to be politicized or otherwise unduly influenced); TCU would recommend that confidential and appropriately sensitive dialogue be held in the event a recommended nominee will not be appointed, toward ensuring all parties are aware of the issues and considerations in play (in addition, this would be relevant in the scenario where a nominee is not accepted by City Council however subsequently approached by the TCU board to contribute in an advisory role or similar – any potential issues or considerations should be communicated proactively.</p> <p>Given the skills and competencies-based process adopted by TCU, TCU recommends that should City Council not be in favour of appointing a nominee approved by the board, TCU be provided the opportunity to initiate a subsequent round of recruitment to ensure that any potential nominees are appropriately qualified and align with the skills/competencies process in use (i.e. TCU is not supportive of the possibility appointing other persons to the</p>

Issue	Recommendation	Rationale	Current TCU	Feedback from TCU BoD
				position of Director at its [City Council's] discretion without consultation with the TCU Board)
Residency of Board Members	That the Corporate Bylaws and Policy No. C01-003, Appointments to Civic Boards, Commissions, Authorities and Committees be amended to allow each Controlled Corporation to have a maximum of two non-resident members but that the non-resident members not be allowed to vote on the annual budget	Greater pool of candidates for boards; many potential candidates may work, own a business or have other financial assets in Saskatoon but live in an outlying area; City Council would still retain final decision on appointment of directors (and thus could choose a resident over non-resident appointee); maximum of two non-resident members and exclusion from voting on annual budget	The recruitment of non-resident Board members has not previously been identified as an issue for TCU (The potential for a greater pool of candidates and having representation from non-residents who live in areas surrounding Saskatoon would offer the perspective of TCU patrons who are also non-residents)	This issue appears to have been promoted by the Remai board on the premise that the Remai board would benefit from having board members who are not located within the city or province; given that the users of TCU are drawn from the Saskatoon metropolitan area, TCU is supportive of the possibility for having 'Saskatoon and area' board representation (i.e. non-resident board members)
Length of Appointment	That the status quo of two-year appointments to a maximum of six consecutive years remain in place	Six years is a lengthy period of time; after a three-year hiatus, board members are eligible to sit on the same board again; on-going appointment of new members brings fresh perspectives to issues at hand	TCU has historically adhered to the six-year limit	TCU is supportive of this recommendation
Board Recruitment	That the Board Recruitment Process remain status quo	City's newly adopted Board Recruitment Process includes procedures for identifying skill gaps and conducting performance reviews of past [?] Directors; City Council retains the discretion to appoint and remove Directors	TCU continues to be proactive with the implementation of board recruitment procedures and processes, including the skills and competencies-based process noted previously	TCU is supportive of this recommendation

Appendix 4: Committees of the Boards

Issue	Recommendation	Rationale	Current TCU	Feedback from TCU BoD
Types of Committees	That an Audit Committee be required to be established and that the Corporate Bylaws of the Controlled Corporations be amended to clarify that committees shall be advisory in nature only and that all decisions must be made by the Boards	Controlled Corporations are separate legal entities; Business needs may change over time = need for flexibility with how boards are structured; best practice for governance is that all decisions are made by Board (with recommendations from committees), meaning committees should have no authority to make financial decisions, enter into contracts or otherwise bind the Controlled Corporation	TCU has an established A&F committee; remaining committees have been established historically in response to evolving business needs	TCU is supportive of this recommendation
Composition of Committees	That the determination of committee composition be left up to the Boards	As per above, evolving business needs = need for flexibility; important that Corporate Bylaws specify that Committees of the Board cannot make decisions/all decisions must be made by the Board	Existing TCU committee practice continues to be that Committees of the Board provide recommendations to the Board for decision (If direction is given to codify sole decision-making authority to the Board itself, TCU Board would need to ensure this is implemented consistently across all committees)	Appendix 4 (pg. 3) identifies that “It is essential that specialized board committees be chaired by a nonexecutive and include a sufficient number of independent members.”, and that “the composition of board committees should include qualified and competent members with adequate technical expertise.”; TCU is not supportive of this potential restriction or guideline, given that committees will be (as noted elsewhere in this review) restricted from making decisions without full board ratification; in addition, there are board composition considerations (e.g. TCU Bylaws currently stipulate that the Treasurer also occupies the role of Audit Chairperson, which is optimal in terms of board activity and leadership)

Issue	Recommendation	Rationale	Current TCU	Feedback from TCU BoD
				Page 4 (Appendix 4) speaks to the question of a member of Council sitting on a Committee of the Board; while it is not explicit, it does appear to imply that there may be a case for (if so desired by the Board) excluding a member of Council from: sitting on a Committee of the Board; chairing a Committee of the Board; and/or from being a member of the executive committee; TCU Place was highlighted as being the only Controlled Corporation that restricts members of Council and City Administration who have been appointed to the TCU Board from sitting on its Executive Committee, and TCU believes this to be an appropriate restriction continuing forward to avoid any perceived conflict of interest

Appendix 5: Management of the Controlled Corporations

Issue	Recommendation	Rationale	Current TCU	Feedback from TCU BoD
Uniform Policies	That the [CoS] Governance Subcommittee update the Directors' Code of Conduct and the Directors' Anti-Harassment Policy and that the new policies be provided to the Controlled Corporations for adoption	Attempt to strike a reasonable balance between corporate independence and shareholder oversight; increased degree of consistency across Controlled Corporations and City of Saskatoon	TCU Board has already adopted these two items (Any updates and revisions would be received and adopted by the TCU Board)	These two items are reflective of existing requirements associated with <i>The Non-profit Corporations Act</i> and related fiduciary duties associated with the role of a director TCU is supportive of policy alignment across the CoS

Issue	Recommendation	Rationale	Current TCU	Feedback from TCU BoD
				and Controlled Corporations TCU recommends that the City Clerk's Office assume stewardship of the governance manuals and policies for all Controlled Corporations to ensure on-going consistency and accuracy
Uniform Policies	That the [CoS] Governance Subcommittee draft Financial/Transparency policies, a Respectful and Harassment-Free Workplace Policy, a Drug and Alcohol Policy, an Employee Code of Conduct and Conflict of Interest Policy, and any other policies as required, in consultation with the Controlled Corporations and that the new policies be provided to the Controlled Corporations for adoption	See above	TCU has some (but not all) of these policies in place at present	TCU is supportive of this recommendation
Uniform Policies	That the [CoS] Governance Subcommittee develop a list of other policies to be drafted and adopted by the Controlled Corporation Boards	See above	TCU has several existing Board-specific and comprehensive (board/management/employee) policies in place (Additional policies would need to be drafted and implemented as indicated)	TCU is supportive of this recommendation
Sharing City Services	That services be provided to the Controlled Corporations only upon request and that Service Agreements be entered into for the provision of those services	See above; dependence on City of Saskatoon services and supports could potentially impact the independence of the Controlled Corporations;	TCU currently relies on City of Saskatoon for legal services, payroll (but not financial services including budgeting and accounting)	TCU is supportive of this recommendation in that the opportunity to access/opt-in to specialized (and consistent) services would

Issue	Recommendation	Rationale	Current TCU	Feedback from TCU BoD
		it is recognized however that efficiencies may be found through the streamlining and standardizing of certain processes (e.g. financial practices and reporting)	TCU currently provides its own IT support in-house (with exception of the VOIP phone system) TCU currently has HR support in-house, however a range of HR-related services and supports are provided by the City and accessed on an ad hoc basis TCU currently manages Indigenous Initiatives in-house (The commentary in Appendix 5, page 6, appears to imply that Service Agreements would need to be entered into for the provision of existing services and any future new services)	be welcome; TCU is also supportive of ensuring adequate and consistent policies and processes, with the provision that the spirit of board independence remain intact and a collaboration approach be undertaken where discrepancies are identified
City Council Oversight of CEO Appointments	A uniform CEO Recruitment Policy be drafted by the [CoS] Governance Subcommittee and provided to the Controlled Corporations for adoption [including the provision that a member of Council also be appointed to the proposed CEO Recruitment/Performance Committee]	See above	<p>The TCU Board Governance Manual currently provides a high-level CEO job description, reference to the inclusion of the CEO contract as an appendix to the manual, and reference to the Board Policy for CEO Evaluation and Compensation also contained in an appendix to the manual</p> <p>The most recent CEO recruitment process and subsequent contract renewal included consultation with the City HR Director regarding terms and conditions of employment and compensation (toward a degree of consistency with the other Controlled Corporations)</p> <p>TCU does not have a CEO Recruitment Policy or similar in place at present</p> <p>The most recent TCU CEO contract renewal was managed by the TCU Board Executive Committee</p>	<p>TCU recognizes that one of the primary roles of its board is the on-going management of its CEO, including CEO recruitment and selection, evaluation of CEO performance, and any CEO compensation-related decisions</p> <p>TCU is supportive of a uniform CEO Recruitment Policy, and also recommends that the CoS consider the provision of appropriate and consistent (third-party?) executive search expertise to the Controlled Corporations whenever a CEO search is undertaken</p>

Issue	Recommendation	Rationale	Current TCU	Feedback from TCU BoD
			The most recent TCU CEO recruitment process was also managed by the TCU Board Executive Committee	
City Council Oversight of CEO Appointments	The Corporate Bylaws of the Controlled Corporations be amended to require the establishment of a CEO Recruitment/Performance Committee for each Controlled Corporation	See above	The evaluation of CEO performance is currently undertaken on an annual basis by the TCU Board Executive Committee	<p>TCU recognizes that one of the primary roles of its board is the on-going management of its CEO, including CEO recruitment and selection, evaluation of CEO performance, and any CEO compensation-related decisions</p> <p>TCU is supportive of continuing to include City Council representation (through one or more councilors appointed by City Council as members of the board), along with the entirety of its board in the hiring and evaluation of its CEO; and also recommends that the CoS consider the provision of appropriate and consistent (third-party?) CEO performance evaluation expertise to the Controlled Corporations</p> <p>At present, the TCU Board Executive provides leadership on CEO appointments and related activities (e.g.</p>

Issue	Recommendation	Rationale	Current TCU	Feedback from TCU BoD
				performance, compensation), with direct support from the TCU Board Governance Committee and the input of the entire TCU Board; TCU recommends that sufficient latitude remain for this configuration – with the inclusion of a city councilor with the activities led by the TCU Board Executive (namely CEO appointment, performance and compensation)
City Council Oversight of CEO Appointments	A City Councillor be appointed to the CEO Recruitment/Performance Committee for each Controlled Corporation	See above	See above	See above
Establishing Roles and Responsibilities Between the City and the Controlled Corporations	That the City Solicitor negotiate a Memorandum of Understanding with each Controlled Corporation and bring each back to City Council for approval	See above; intended to clarify and bring consistency to: the governance framework of each Controlled Corporation; the role of each Controlled Corporation; the role of the City; the reporting relationship and structure between the City and each Controlled Corporation; the desire for consistent employee salaries and terms and conditions of employment for each	As a Controlled Corporation, TCU is currently governed by its Corporate Bylaws and its Board, along with existing formal and informal reporting and working relationships between TCU Administration and the City of Saskatoon, two members of Council sitting on the TCU Board, and the City of Saskatoon is recognized as being the sole shareholder of TCU Place	TCU is supportive of this recommendation in that it would provide added accountability and transparency for the ongoing management and strategic direction of the Controlled Corporations, along with access to a more consistent and broad range of supports and expertise

Issue	Recommendation	Rationale	Current TCU	Feedback from TCU BoD
		Controlled Corporation; other such matters as negotiated between the Controlled Corporations and the City		
Establishing Roles and Responsibilities Between the City and the Controlled Corporations	That the City Solicitor negotiate an Operating Agreement with each Controlled Corporation and bring each back to City Council for approval	See above; the Operating Agreement would set out roles and responsibilities of each party with respect to the day-to-day operation of each facility, including insurance, building condition, building upgrades, and other similar items	See above	See above

Summary of Issues and Recommendations-- Response Submitted by Rемаi Modern				
Appendix 2: Boards of Directors of Controlled Corporations				
Issue	Recommendation	Agree	Disagree	Requested Modification
Issue 1: Board Size	That the Governance and Priorities Committee recommend to City Council that it set a range for Board size of 6 to 15 Directors for each Controlled Corporation (Option 2: Establish a Consistent Range for Board Size Between Controlled Corporations).	√		
Issue 2: Board Composition	That the Governance and Priorities Committee recommend to City Council: 1. That two Councillors to be appointed to the Board of each Controlle Corporation (Option 2: Appoint Only Two Councillors).	√		
	2. That the Corporate Bylaws be amended to codify that a Director who also serves as a member of Council has the ability to report to City Council and the Governance and Priorities Committee <i>In Camera</i> .	√		
Issue 3: Board Meetings	That the Governance and Priorities Committee recommend to City Council that each Controlled Corporation adopt meeting procedures within 60 days of passing of this resolution being passed by City Council.	√		
	That the Governance and Priorities Committee recommend to City Council that it maintain the status quo and limit meetings to occur within Saskatoon City Limits (Option 1: Maintain the Status Quo and Limit Meetings to Occur within Saskatoon City Limits).	√		
Issue 4: Board Orientation	That the Governance and Priorities Committee recommend to City Council that the City Clerk's Office conduct mandatory Board Orientation with each of the Controlled Corporations on an annual basis.	√		
Appendix 4: Directors of Controlled Corporations				
Issue	Recommendation	Agree	Disagree	Requested Modification
Issue 1: Appointment of Directors	That the Governance and Priorities Committee recommend to City Council that the appointments of Directors continued to be made by City Council in its sole discretion and the Corporate Bylaws of the Controlled Corporations be amended to make this clear.		√	Council and the AGS Board will jointly appoint candidates to fill gaps or augment competencies in the AGS Board Expertise Matrix. Each candidate must be acceptable to both Council and the AGS Board to be appointed.
Issue 2: Residency of Directors	That the Governance and Priorities Committee recommend to Citry Council that the Corporate Bylaws and Policy No. C01-003, <i>Appointments to Clvic Boards, Commissions, Authorities and Committees</i> be amended to allow each Controlled Corporation to have a maximum of two non-resident members but that the non-resident members not be allowed to vote on the annual budget. (Option 2: Allow Appointment of Two Non-Resident Board Members).		√	Non-resident Directors is requested up to a maximum of four with non financial voting rights only and a requirement to maintain a minimum 2/3 local Director representation including a similar quroum ratio for voting.

Issue 3: Length of Appointment	That the Governance and Priorities Committee recommend to City Council that the status quo of two-year appointments to a maximum of six consecutive years remain in place.	√		
Issue 4: Board Recruitment	That the Governance and Priorities Committee recommend to City Council that the Board Recruitment Process remain status quo.		√	Request double approval process in which both the Board and City have the veto on board appointments. This will provide a more equitable decision making process.
Appendix 4: Committees of the Boards				
Issue	Recommendation	Agree	Disagree	Suggested Modification
Issue 1: Types of Committees	That the Governance and Priorities Committee recommend to City Council that an Audit Committee be required to be established and that the Corporate Bylaws of the Controlled Corporations be amended to clarify that committees shall be advisory in nature only and that decisions must be made by the Boards. (Option 1: Maintain Status Quo).	√		
Issue 2: Composition of Committees	That the Governance and Priorities Committee recommend to City Council that the determination of committee composition be left up to the Boards. (Option 1: Maintain Status Quo).	√		
Appendix 5: Management of Controlled Corporations				
Issue	Recommendation	Agree	Disagree	Suggested Modification
Issue 1: Adoption of Uniform Policies	That the Governance and Priorities Committee recommend to City Council that the Governance Subcommittee update the <i>Directors’ Code of Conduct</i> and the <i>Directors' Anti-Harassment Policy</i> and that the new policies be provided to the Controlled Corporations for adoption.	√		
	That the Governance and Priorities Committee recommend to City Council: 1. That the Governance Subcommittee draft Financial/Transparency policies, a Respectful and Harassment-Free Workplace Policy, a Drug and Alcohol Policy, an Employee Code of Conduct and Conflict of Interest Policy, and any other policies as required, in consultation with the Controlled Corporations and that the new policies be provided to the Controlled Corporations for adoption.		√	Boards should be provided with clear direction on policies that are currently in affect. Future policies should be drafted by City Governance Committee and put through the approval process. The language in this recommendation does not make it clear what future policies are to be provided by the City and what policies are to be developed by the Controlled Corporations.
	2. That the Governance Subcommittee develop a list of other policies to be drafted and adopted by the Controlled Corporation Boards.		√	The policies should be drafted in consultation with the controlled corporations.
Issue 2: Sharing City Services	That the Governance and Priorities Committee recommend to City Council that services be provided to the Controlled Corporations upon request and that Service Agreements be entered into for the provision of those services.	√		NOTE: Clarity is needed as to whether City departments are able to provide sufficient services on a timely basis

Issue 3: City Council Oversight of CEO Appointments	That the Governance and Priorities Committee recommend to City Council that: 1. A uniform CEO Recruitment Policy be drafted by the Governance Subcommittee and provided to the Controlled Corporations for adoption.		√	Remai Modern is in agreement with having a policy and requests the ability to draft its own. Not in favor of a uniform policy due to the unqie nature of the controlled corporation.
	2. The Corporate Bylaws of the Controlled Corporations be amended to require the establishment of a CEO Recruitment/Performance Committee for each Controlled Corporation.	√		
	3. A City Councillor be appointed to the CEO Recruitment/Performance Committee for each Controlled Corporation (Option 1: Requiring Establishment of a CEO Recruitment/Performance Committee for Each Controlled Corporation).		√	Not in favor of mandating a City Councillor be on the recruitment/performance CEO committee. Councillor should be allowed but not mandated.
Issue 4: Establish Roles and Responsibilities between the City and Controlled Corporations	That the Governance and Priorities Committee recommend to City Council that the City Solicitor negotiate a Memorandum of Understanding with each Controlled Corporation and bring each back to City Council for approval.	√		Agree with the following rewording of recommendation: "City Solicitor and the Controlled Corporation to negotiate a Memorandum of Understanding for approval by the City"
	That the Governance and Priorities Committee recommend to City Council that the City Solicitor negotiate an Operating Agreement with each Controlled Corporation and bring each back to City Council for approval.	√		Agree with the following rewording of recommendation: "City Solicitor and the Controlled Corporation to negotiate a Operating Agreement for approval by the City"

MEMORANDUM

TO: The Leadership Team Governance Subcommittee

FROM: The Board of Directors of SaskPlace Association

DATE: October 31, 2019

RE: Response to Governance of Controlled Corporations Recommendations

.....

Below please find our response to the three questions that were asked of us in the October 4, 2019, letter from Ms. Joanne Sproule, Ms. Cindy Yelland and Mr. Mike Jordan. Please let us know if you have any questions or require further clarification.

Do you agree with the proposed recommendations? Some of them

Are there proposed recommendations that cause you concern? Yes

Are there changes to some of the proposed recommendations that you would like LTGS to Consider? Yes, please see narrative and chart below.

The Board of Directors of SaskPlace Association (SPA) has reviewed the twenty-one governance of controlled corporation’s recommendations that have been drafted by City Administration. Below, please find a chart that identifies the recommendations that SaskPlace Association wishes to modify or make comment on. Those recommendations that SPA agrees with have not been included in the chart below.

As a preface to our comments, The Board of Directors of SPA wishes to convey its firm belief that the assignment of responsibility to a group of people (in this case a Board) must also be accompanied by the authority to carry out the duties associated with those responsibilities. As Board members, we are legally accountable for overseeing the governance of SPA. This is a commitment that we take seriously. We invest a great many hours toward ensuring that this corporation is planning for the future while at the same time ensuring that the programming and services that are provided to the approximately 600,000 annual visitors are well thought out and produced in an efficient and effective manner. SaskPlace Association oversees one of Saskatoon’s primary windows to the world; as visitors from throughout Canada, the United States and the world have come to Saskatoon for the purpose of viewing entertainment, cultural and educational programming at SaskTel Centre. Additionally, the Centre enriches the quality of life within our community as many a citizen has fond memories of their experiences at the facility.

As directors of this board, as appointed or selected by the shareholder, the City of Saskatoon, our fiduciary duty is to the corporation we have been appointed directors of, Saskatchewan Place Association Inc. (SaskTel Centre). The board has been selected by the shareholder to oversee the management of the business and corporate affairs of the corporation.

The shareholder’s primary responsibility is to select the directors who they believe have the skills and the ability to take on this fiduciary responsibility in a manner that suits their primary purpose as stated in the Articles of Incorporation. They also have the power to remove directors should that be necessary.

The directors of the corporation have a responsibility to exercise their responsibilities with the care, diligence and skills that a reasonably prudent person would exercise in comparable situations.

- The primary role of the shareholder is to:
- 1. Ensure that they have identified in the Articles of Incorporation and the Corporate Bylaws the direction and the business they would like the corporation to operate in.
 - 2. Appoint directors for the corporation who have the skills and the qualifications and who they perceive will have the duty of care necessary to achieve the desired results of the corporation.

The liability for the actions of the corporations, for the most part stays with the directors and the corporation itself, unless the shareholder intervenes through unanimous shareholder/member agreement or some other action that ties the shareholder to the operations directly or indirectly.

As a board, we understand our responsibilities and look forward to working with the City and its directors to ensure proper governance and operations of this corporation.

Topic	LTGS Recommendation	Sask Place Association’s Comments
That two City Councillors be appointed to the Board of each Controlled Corporation (Option	That Council be represented on each Controlled Corporation by two Councillors. The Mayor	SaskTel Centre would like for the Mayor to stay on the Board of Directors especially given all

2: Appoint Only Two Councillors, Issue #2: Board Composition)	would not sit on the Board of any of the Controlled Corporations.	that is transpiring regarding the potentiality of a new downtown arena. We are fine with a total of only two members of council being assigned to SaskPlace Association
That the Corporate Bylaws be amended to codify that a Director who also serves as a member of Council has the ability to report to City Council and the Governance and Priorities Committee In Camera (Option 2: Appoint Only Two Councillors, Issue #2: Board Composition).	That those Councillors that sit on Board of the Controlled Corporations be allowed to report back to Council on an in-camera basis	The members of the Board have a duty of confidentiality to the Organization that they are directors of. This recommendation would allow them to breach that confidentiality and their fiduciary duty to the corporation. If Council or GPC would like further reporting that reporting should come from the CEO or chair of the Board. SaskPlace Association is amenable to providing a quarterly report to Council on the state of the corporation for the purpose of ensuring that Council has a firm understanding of the corporation's status.
That it maintain the status quo and limit meetings to occur within Saskatoon city limits (Option 1: Maintain the Status Quo and Limit Meetings to Occur Within Saskatoon City Limits, Meeting Outside City Limits, Issue #3: Board Meetings).	All Board meetings are to take place within the City Limits of Saskatoon	<i>SaskPlace Association agrees with having Board Meetings within the limits of the City of Saskatoon. SaskPlace Association wishes to reserve the right to have retreats (to be restricted to the borders of Saskatchewan) or "fact finding" trips; which may take the Board or select members of the Board outside the city, province or country on company business. Neither management nor the board of directors of SaskTel Centre engage in any expenditure that is not within the annual budget (which is approved by City Council prior to each year).</i>
That the City Clerk's Office conduct mandatory Board Orientation with each of the Controlled Corporations on an annual basis (Issue 114: Board Orientation).	That annual training, provided by the City Clerk's Office, be given to all members of each controlled corporation.	SaskTel Centre has made Board Orientation mandatory, and we have a strong board onboarding procedure in place already. If the City Clerk's office wants to review the Board Orientation process and make recommendations of which SaskPlace Association will incorporate into the training module, we would welcome that.
That the appointments of Directors continue to be made by City Council in its sole discretion and the Corporate Bylaws of the Controlled Corporations be amended to make this clear (Issue #1: Appointment of Directors).	Applicants to controlled corporation board positions will be screened by the Board of each entity. Recommendations will then be forwarded to Council for their final assessment and selection of new Board members	The Board of Directors of SaskPlace Association is in favor of this recommendation so long as the currently practiced Board Recruitment Process (which has been approved by City Council) continues to remain in place. We appreciate that the final appointment sits with the Shareholder
That the Corporate Bylaws and Policy No. C01-003, <i>Appointments to Civic Boards, Commissions, Authorities and Committees</i> be amended to allow each Controlled Corporation to have a	Each controlled corporation would be allowed to have a maximum of two non-City of Saskatoon Residents on the Board. These members would not be allowed to vote on the annual budget.	<i>SaskPlace Association is in favor of allowing each Controlled Corporation the option of having up to two non-resident members but wishes to allow these members all the rights and privileges of the</i>

maximum of two non-resident members but that the non-resident members not be allowed to vote on the annual budget (<i>Option 2: Allow Appointment of Two Non-Resident Board Members, Issue #2: Residency of Board Members</i>).		<i>resident board members. It must be remembered that the non-resident board members would have the same level of responsibility and liability as resident board members. With this in mind, they should have the same authority.</i>
That the status quo of two-year appointments to a maximum of six consecutive years remain in place (<i>Issue #3: Length of Appointment</i>).	Board members would be appointed for two year terms to a maximum of six years of service.	<i>SaskPlace Association wishes to allow Board Members to serve two year terms up to a maximum of ten total years. This would aid in the transfer of knowledge and continuity of oversight and allow board members to apply their knowledge for a longer period of time after having gone through the initial acclimation process.</i>
That the Board Recruitment Process remain status quo (<i>Issue #4: Board Recruitment</i>).	Administration recommends that the current practice of Board Member Recruitment for the controlled corporations remain in place.	<i>SaskPlace Association agrees with this recommendation with the modification that the Boards and Council ensure that: identified core-competencies, the current composition of the Board and diversity are all factored into the decision making process.</i>
That an Audit Committee be required to be established and that the Corporate Bylaws of the Controlled Corporations be amended to clarify that committees shall be advisory in nature only and that all decisions must be made by the Boards (<i>Option 1: Maintain Status Quo, Issue #1: Types of Committees</i>).	That all controlled corporation Board committees be advisory only in nature.	<i>SaskPlace Association desires to have the Terms of References clearly state what needs to be approved at the Board level and what doesn't. We currently have three standing committees of the board -- HR, Governance and Audit. They have decision making responsibilities, but no decision that will bind the corporation – for example audit committee would approve the budget for recommendation to the board, they would approve the financial statements for recommendation to the board.</i>
That the Governance Subcommittee develop a list of other policies to be drafted and adopted by the Controlled Corporation Boards (<i>Issue #1: Uniform Policies</i>).	City Administration will develop a list of policies to be adopted by the controlled corporations.	<i>SaskPlace Association desires that this list be a recommendation only and that the Board be allowed to have the final determination of what policies the Corporation will abide by. City Council through administration should have the right to review these policies once in place and provide some input. However these are policies of the board.</i>
That services be provided to the Controlled Corporations only upon request and that Service Agreements be entered into for the provision of those services. (<i>Issue #2: Sharing City Services</i>).	Controlled corporations that are in need of services from City of Saskatoon Departments enter into service agreements with the City	<i>SaskPlace Association is in agreement with this recommendation.</i>
A uniform CEO Recruitment Policy be drafted by the Governance Subcommittee and provided to the Controlled Corporations for adoption (<i>Option 1: Establishment of a CEO Recruitment/Performance Committee for Each Controlled Corporation, Issue #3: City</i>	City of Saskatoon will provide to the controlled corporations a CEO recruitment policy to be used in the event of this position becoming vacant.	<i>SaskPlace Association would prefer to provide the Governance Subcommittee with its recruitment policy, for their approval, and would work with Subcommittee if changes need to be made. The controlled corporation would prefer receiving a set of guiding</i>

Council Oversight of CEO Appointment).		principles to use in developing this policy. Representatives of Council would be welcome to be members of the recruitment/performance committee, however these representatives would need to be selected from the two Council appointees to the board they would be performing their duties as Board Members and not the city of Saskatoon, which should limit any liability to the city on selection of the CEO.
The Corporate Bylaws of the Controlled Corporations be amended to require the establishment of a CEO Recruitment/Performance Committee for each Controlled Corporation (Option 1: Requiring Establishment of a CEO Recruitment/Performance Committee for Each Controlled Corporation, Issue #3: City Council Oversight of CEO Appointments).	That Corporate Bylaws of controlled corporates be amended to require the establishment of a CEO Recruitment/Performance of each controlled corporation.	SaskPlace Association should retain ownership of any future CEO recruitment/performance processes. If such a process is put in place, the Board would desire to manage the process and would allow Councillors sitting as board members to sit on the Committee. Communication with the Shareholder is key and would be considered a necessity in this process.
That the City Solicitor negotiate a Memorandum of Understanding with each Controlled Corporation and bring each back to City Council for approval (<i>Memorandum of Understanding, Issue #4: Establishing Roles and Responsibilities Between the City and the Controlled Corporations</i>).	A memorandum of understanding be negotiated with each controlled corporation to define roles and responsibilities between the City and the controlled corporation. The agreement to be brought to City Council for approval.	SaskPlace Association is in agreement with this recommendation. We would recommend independent legal advice be sought on this action to ensure this MOU does not put any unnecessary legal liability to the City.
That the City Solicitor negotiate an Operating Agreement with each Controlled Corporation and bring each back to City Council for approval (<i>Operating Agreement, Issue #4: Establishing Roles and Responsibilities Between the City and the Controlled Corporations</i>).	An operating agreement between the City of Saskatoon and each controlled corporation will be negotiated with the agreement being brought to City Council for approval.	SaskPlace Association is in agreement with this recommendation. See comments above with respect to legal liability assumed by the city.

Admin Report - Bicycle Bylaw Update - Proposed Revisions.docx

ISSUE

The last revision to City of Saskatoon Bylaw No. 6884, The Bicycle Bylaw was completed in December 2011. In consideration of the Active Transportation Plan, and the evolution of transportation policies, revisions are recommended.

RECOMMENDATION

That the Standing Policy Committee on Transportation recommend to City Council:

1. That Bylaw No. 6884, The Bicycle Bylaw be amended as based on the policy framework provided in this report; and
2. That the City Solicitor be requested to prepare the appropriate amendment to Bylaw No. 6884, The Bicycle Bylaw.

BACKGROUND

The Active Transportation Plan, approved in principle by City Council on June 27, 2016, contains an 80-point action plan that outlines improvements to new and existing infrastructure, programming, policies, and standards. Action item 6B.1, under the Education and Awareness theme, specifies the need to “review and update Bicycle Bylaw No. 6884 to ensure that it reflects best practice.”

City Council, at its 2018 Preliminary Business Plan and Budget meeting held on November 27, and 28, 2017, considered and approved the Transportation 2018 Business Plan and Budget. Included in Capital Project #2468 – Active Transportation Implementation Plan was the Bicycle Bylaw Update project.

DISCUSSION/ANALYSIS

The Administration has developed new bylaw content for consideration. The potential bylaw revisions describe the intention of proposed rules rather than the specific text that will form the finalized bylaw. Most revisions are adapted from regulations enacted in other jurisdictions. The technical documentation, including multi-jurisdictional scans, can be found in Appendix 1.

Item	Section	Modifications
1	Operation	<ul style="list-style-type: none">• Removed requirement for people cycling to ride as close to curb as practicable• Added hand signaling requirement• Clarified the number of passengers allowed• Clarified allowable loads
2	Bicycle Equipment	<ul style="list-style-type: none">• Added that a red rear reflector may be used instead of a light
3	Sidewalks	<ul style="list-style-type: none">• Added allowance for children under 14
4	Shared Use Pathways	<ul style="list-style-type: none">• Clarified Shared Use designation

Item	Section - Continued	Modifications - Continued
		<ul style="list-style-type: none"> Applied rules for park trails to all shared-use facilities
5	Bridges	<ul style="list-style-type: none"> Removed requirement for people cycling to dismount on sidewalks
6	Cycle Tracks	<ul style="list-style-type: none"> Added requirement for people cycling to ride in the direction of traffic Removed requirement for people riding bicycles to use only exclusive bicycle lanes
7	Motorist Overtaking a Person Riding a Bicycle	<ul style="list-style-type: none"> Added one-meter passing rule for two-way, single-lane streets
8	Freeways	<ul style="list-style-type: none"> Updated Schedule A: Freeway System
9	Penalties	<ul style="list-style-type: none"> New restrictions are being added so there will be new penalties
10	Electric or Power Assisted Bicycles	<ul style="list-style-type: none"> Regulated federally and provincially
11	Helmets	<ul style="list-style-type: none"> The City will continue to recommend helmet use by all cyclists and passengers and encourage provincial legislation for cyclists under 18 years of age

Engagement

In the spring of 2018, the Administration invited the following 13 stakeholder organizations and 2 City of Saskatoon Advisory Committees to comment on the current bylaw and to submit considerations for a revised bylaw:

- Biketrix
- Canadian Paediatric Society
- City of Saskatoon Traffic Safety Committee
- Greater Saskatoon Catholic School Division
- Meewasin
- Saskatchewan Cycling Association
- Saskatchewan Government Insurance
- City of Saskatoon Accessibility Advisory Committee
- Saskatchewan Healthy Authority
- Saskatchewan Prevention Institute
- Saskatoon and District Safety Council
- Saskatoon Council on Aging
- Saskatoon Cycles
- Saskatoon Public School Division
- Walking Saskatoon

The engagement consisted of an initial meeting with each group to explain the goals and objectives, as well as detailed explanations on the application and limitations of bylaws.

The engagement concluded with a roundtable meeting on September 26, 2019 with all stakeholders in addition to the Active Transportation Advisory Group. The Administration presented content of the proposed bicycle bylaw changes and each item being discussed by the stakeholders. Reservations were raised about sidewalk riding related to narrow infrastructure, courtesy, and increasing cyclist volumes: however, the proposed revision was supported.

At the roundtable meeting, helmet use was also discussed. Written support for the mandatory use of helmets was received from the Canadian Paediatric Society, Saskatchewan Prevention Institute, and the Saskatoon and District Safety Council. Written support for the continued encouraging use of helmets, but not mandatory use,

was received from the Saskatchewan Healthy Authority. Verbal support for continuing to encourage the use of helmets, but not mandatory use, was also received from the Greater Saskatoon Catholic School Board and the Saskatoon Public School Board. The primary reason expressed for encouraging the use of helmets, but not making them mandatory, was to not increase economic barriers to cycling.

Education and Awareness

A communications plan will be ready for implementation following adoption of any updates to Bylaw No. 6884, The Bicycle Bylaw. One key element will be revisions to the BYXE campaign, launched in the spring 2019 to educate residents about all changes. A news conference and additional advertising outside of the campaign may also be required.

Personal Transportation Devices (e-scooters)

The Administration has confirmed with the Province of Saskatchewan that an e-scooter is considered a non-compliant motor vehicle and is therefore currently prohibited from travelling in the public right-of-way. The Administration has struck an internal working group consisting of staff from Transportation, Solicitors, and Bylaw Enforcement to review and track how other jurisdictions are accommodating, or not, e-scooters. Accordingly, at this time e-scooters are not included in the Bicycle Bylaw proposed revisions.

IMPLICATIONS

Legal implications that deal with the enforceability of the new requirements under the bylaw are yet to be determined. Social implications, outside of safety, were not reviewed. There are no financial implications to the City of Saskatoon, however, there may be financial implications to cyclists. Environmental benefits gained by increasing active transportation have not been quantified.

NEXT STEPS

Upon City Council approval, the Administration will work with City Solicitors to prepare a revised bicycle bylaw.

APPENDICES

1. Proposed Bicycle Bylaw Project Report

Report Approval

Written by:	Marina Melchiorre, Senior Transportation Engineer
Reviewed by:	David LeBoutillier, Engineering Manager, Transportation Jay Magus, Director of Transportation
Approved by:	Terry Schmidt, General Manager, Transportation & Construction Department

Proposed Bicycle Bylaw

Project Report

**October 2019
City of Saskatoon**

AUTHORIZATION

Prepared By:



**Marina Melchiorre, P.Eng., PTOE
Senior Transportation Engineer**

Cover Photo credit: Copenhagenize Design Co. Canada

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INTRODUCTION

The purpose of this attachment is to document the Administration's recommended rule change to compose a new bicycle bylaw to replace Bicycle Bylaw, No. 6884. The proposed bicycle bylaw describes the intention of a proposed rule rather than the specific text that will form the finalized bylaw. Most modifications are adapted from regulation enacted in other jurisdictions.

The purpose of this report is to document the content of a new bicycle bylaw recommended by the Administration. The report sets out proposed rules and regulations, many of which are adapted from bylaws in force in other jurisdictions, rather than the specific text that will form the finalized bylaw.

The Proposed New Bicycle Bylaw will:

- Complement the City's vision for pedestrian and bicycle mobility.
- Be easy to understand and feasible to implement.
- Provide an effective enforcement tool to complement the Traffic Bylaw, No. 7200 and provincial Traffic Safety Act.

SECTIONS

PROPOSED BYLAW

This section presents the content of the proposed new bylaw.

SIDE-BY-SIDE COMPARISON: NEW & CURRENT

This section presents the content of the proposed new bylaw alongside current Bicycle Bylaw, No. 6884.

EXPLANATION OF CHANGES

This section lists each component of the proposed bylaw and discusses the rationale for the change as well as practices from across Canada.

STAKEHOLDER ENGAGEMENT

The project engaged 15 stakeholder organizations who submitted their considerations for a new bylaw. This section summarizes their recommendations.

CONTENTS OF PROPOSED BYLAW

The following sets out proposed rules and regulations, many of which are adapted from bylaws in force in other jurisdictions, rather than the specific text that will form the finalized bylaw.

DEFINITIONS

The proposed bylaw will contain definitions to clarify the intended meaning of terms. These definitions may include some or all of the following:

“Act” means The Traffic Safety Act of the Province of Saskatchewan.

“Bridge” means a structure carrying a road, path, railroad, or canal across a river, ravine, road, railroad, or other obstacle. Interchange bridges are included in this definition.

“Bicycle” means any muscular propelled, chain-driven wheeled device in, on, or by which a person is or may be transported or drawn.

“Cycle Track” means any road, street, path or way, physically separated from motorized vehicular traffic by an open space or barrier and either within the street right-of-way or within an independent right-of-way, which in some manner is specifically designated for bicycle travel. Includes exclusive bicycle lanes.

“Electric Bicycle” or “Power Assisted Bicycle” means a bicycle that combines muscular propulsion with electric motor assistance under the Motor Vehicle Safety Regulations (Canada) (C.R.C., c. 1038).

“Exclusive Bicycle Lane” is where a street has been divided into marked lanes for traffic and one or more lanes has been designated for use by bicycles by means of a traffic control device, the lane so designated and indicated is reserved for the exclusive use of bicycles and other permitted vehicles. An exclusive bicycle lane may be physically separated from motorized vehicular traffic by an open space or barrier.

“Motor Vehicle” means a vehicle propelled or driven by any means other than by muscular power, according to Part I.2(1)(r) of the provincial Traffic Safety Act.

“Multi-Use Path” means a trail or other path, physically separated from motorized vehicular traffic by an open space or barrier, either within the street right-of-way or within an independent right-of-way, and usable for transportation purposes.

“Park” means any improved or unimproved lands owned by or subject to the direction and control of The City of Saskatoon and intended for the recreational use and enjoyment of the general public, and, without limitation, includes all those areas encompassed by what is commonly known as the Meewasin Valley Trail, and all lands and environs associated therewith.

“Overtaking” means the act of one vehicle going past another slower moving or stopped vehicle, travelling in the same direction.

“Pedestrian” means a person on foot or in a wheelchair.

“River Crossing” means a bridge crossing the South Saskatchewan River.

“Shared-Use Path” means multi-use path or sidewalk delineated by signage or pavement markings where people cycling share the facility with pedestrians.

“Sidewalk” means a separated facility at the side of a street or roadway intended for use by pedestrians.

“Street” means all or any part of a road allowance, highway, road, lane, bridge, place, alley, square, thoroughfare, or way intended for or used by the general public for the passage of vehicles or pedestrians.

“Traffic Bylaw” means Bylaw No. 7200 of The City of Saskatoon and all amendments thereto;

“Vehicle” means a device in, on or by which a person or thing is or may be transported or drawn on a highway and includes special mobile machines and farm implements but does not include vehicles running only on rails or solely on railway company property, according to Part I.2(1)(ccc) of the provincial Traffic Safety Act.

1. OPERATION

A person riding a bicycle:

- 1) has the same rights and duties as a driver of a motor vehicle and is subject to the rules and regulations of the provincial Traffic Safety Act
- 2) shall not ride without due care and attention
- 3) shall not ride on a sidewalk unless permitted by signs or markings
- 4) shall utilize only that portion of the street as is intended for the passage of motor vehicles, except that cyclists may ride in a parking lane
- 5) shall keep at least one hand on the handlebars at all times
- 6) shall not ride other than upon or astride a regular seat of the bicycle
- 7) shall not use it to carry more persons at one time than the number for which it is designed and equipped
- 8) shall not carry any package, bundle, or article which prevents them from keeping both hands on the handlebars or obstructs their view
- 9) shall not ride on the left side of any two other bicycles being operated abreast on a street, except to overtake
- 10) shall not ride where signs and markings prohibit its use
- 11) shall not perform or engage in any stunt or other activity that is likely to distract, startle or interfere with other transportation network users
- 12) must give a signal by hand and arm prior to turning in the following manner:
 - a) when making a left-hand turn, by extending the left arm horizontally.
 - b) when making a right-hand turn, by extending the left arm bent vertically upwards.

2 BICYCLE EQUIPMENT

A person shall not ride a bicycle during the period from one-half hour before sunset to one-half hour after sunrise, or at any other time when conditions of poor visibility exist, unless the bicycle has the following:

- 1) at least one headlamp
- 2) at least one red rear light or red reflector

A person shall not ride a bicycle unless the bicycle has a functioning braking system adequate to control the movement of and to stop the bicycle whenever necessary.

A person shall not ride a bicycle unless the bicycle is equipped with a horn or bell capable of emitting sound audible under normal conditions for a distance of not less than thirty-five (35) metres.

3 SIDEWALKS

No person, over the age of 14, shall drive a bicycle upon a sidewalk unless:

- 1) the sidewalk is delineated as a Shared-Use Path by signage or pavement markings and they are operating at a moderate rate of speed, or so not to startle, endanger, or interfere with any other person, or
- 2) they are entering upon or leaving land adjacent to a street.

4 SHARED-USE PATHS

On any river crossing, bridge, multi-use path, park trail, or sidewalk designated as a Shared-Use Path, every person operating a bicycle shall:

- 1) comply with traffic signals, signs and markings
- 2) proceed with due care and attention and with reasonable consideration for all pedestrians and path users
- 3) yield the right of way to all pedestrians, at all times
- 4) operate the bicycle to the right of the center of any such sidewalk, trail, or path, except when overtaking and passing a pedestrian or a bicyclist in the same direction
- 5) alert anyone about to be overtaken by sounding a horn or a bell a reasonable amount of time before overtaking
- 6) operate at a moderate rate of speed, or so not to startle, endanger, or interfere with any other person.

5 BRIDGES

In traversing any bridge or river crossing, a person operating a bicycle may:

- 1) use that portion of the bridge or river crossing as is intended for the passage of motor vehicles; or,
- 2) use the sidewalk portion of any bridge or river crossing as a Shared-Use Path.

6 CYCLE TRACKS

A person riding a bicycle in a cycle track shall travel only in the direction designated for that lane.

Vehicles other than bicycles may not drive, stand, stop or park in an exclusive bicycle lane or cycle track except:

- 1) where the bicycle lane marking is dashed, motor vehicles may, when safe to do so, merge into the bicycle lane to make a turn.
- 2) where the bicycle lane is located between the travel lane and the parking lane, motor vehicles may, when safe to do so, cross the bicycle lane for parking the vehicle.

7 MOTORIST OVERTAKING A PERSON RIDING A BICYCLE

Every person in charge of a motor vehicle who is overtaking a person travelling on a bicycle on a street with one traffic lane in the direction of travel, shall, as nearly as may be practicable, leave a distance of not less than one meter between the bicycle and the motor vehicle and shall maintain that distance until safely past the bicycle. The one-meter distance required refers to the distance between the extreme right side of the motor vehicle and the extreme left side of the bicycle, including all projections and attachments.

8 FREEWAYS

No person shall operate a bicycle upon any of those streets set forth in Schedule “A”, except upon that portion of any such street as is clearly set aside and designated for the passage of bicycles.

9 PENALTIES

The penalty for breach of any of the provisions of this Bylaw shall be as set forth in Schedule “B” hereto.

Every person who breaches any of the provisions of this Bylaw is guilty of an offense and liable on summary conviction to a fine of (\$50.00) Dollars, hereinafter referred to as the stipulated penalty.

SCHEDULE A

1. Idylwyld Drive from 20th Street south to Circle Drive;
2. Circle Drive South from Idylwyld Drive east to Highway No. 11;
3. Circle Drive North from Millar Avenue east and south to College Drive;
4. Attridge Drive from Circle Drive to Central Avenue;
5. Circle Drive west from Idylwyld Drive South to Airport Drive

SIDE-BY-SIDE COMPARISON: NEW & CURRENT

Draft Proposed Bylaw	Current Bicycle Bylaw, No. 6884
1. OPERATION	
A person riding a bicycle:	
1) has the same rights and duties as a driver of a motor vehicle and is subject to the rules and regulations of the provincial Traffic Safety Act	10. Stunting Every person operating a bicycle shall have at least one hand on the handle bars at all times, and no person operating a bicycle shall perform or engage in any acrobatic or other stunt.
2) shall not ride without due care and attention	15. Due Care and Attention Every person operating a bicycle in a park shall do so with due care and attention and with reasonable consideration for other persons in such park.
3) shall not ride on a sidewalk unless permitted by signs or markings	
4) shall utilize only that portion of the street as is intended for the passage of motor vehicles, except that cyclists may ride in a parking lane	8. Position on Street Every person operating a bicycle shall utilize only that portion of the street as is intended for the passage of motor vehicles and shall be so positioned thereon as to be as close as is reasonably practicable to the right hand curb, except that any such person operating a bicycle may leave the proximity of the right hand curb when approaching an intersection and indicating an intention to turn by giving the required signal to that effect.
5) shall keep at least one hand on the handlebars at all times	
6) shall not ride other than upon or astride a regular seat of the bicycle	
7) shall not use it to carry more persons at one time than the number for which it is designed and equipped	11. Passengers No person shall operate a bicycle while carrying thereon any other person, except that such person may carry one passenger where the bicycle is equipped with a properly constructed pillion seat securely fastened over the rear wheel thereof.

Draft Proposed Bylaw	Current Bicycle Bylaw, No. 6884
8) shall not carry any package, bundle, or article which prevents the bicyclist from keeping both hands on the handlebars or obstructs their view	12. Loads No person shall operate a bicycle while carrying thereon any load in excess of twenty-five (25) kilograms, nor shall such load extend to a greater width than forty-five (45) centimetres on either side of the center line of the bicycle, nor to such a height as would obstruct the clear vision in all directions of the person operating the bicycle while seated on the seat thereof.
9) shall not ride on the left side of any two other bicycles being operated abreast on a street, except to pass	9. Two Abreast Except as is necessary for the purpose of passing, no person shall operate a bicycle on the left side of any two other bicycles being operated abreast.
10) shall not ride where signs and markings prohibit its use	
11) shall not perform or engage in any stunt or other activity that is likely to distract, startle or interfere with other transportation network users	10. Stunting Every person operating a bicycle shall have at least one hand on the handle bars at all times, and no person operating a bicycle shall perform or engage in any acrobatic or other stunt
12) must give a signal by hand and arm prior to turning in the following manner: <ul style="list-style-type: none"> a) when making a left-hand turn, by extending the left arm horizontally. b) when making a right-hand turn, by extending the left arm bent vertically upwards. 	

Draft Proposed Bylaw	Current Bicycle Bylaw, No. 6884
2 BICYCLE EQUIPMENT	EQUIPMENT
<p>A person shall not ride a bicycle during the period from one-half hour before sunset to one-half hour after sunrise, or at any other time when conditions of poor visibility exist, unless the bicycle has the following:</p> <ol style="list-style-type: none"> 1) at least one headlamp 2) at least one red rear light or red reflector 	<p>7. Lights and Reflective Devices No person shall operate a bicycle during the period from one-half hour after sunset to onehalf hour before sunrise, or at any other time when conditions of poor visibility exist, unless such bicycle is equipped</p>
<p>A person shall not ride a bicycle unless the bicycle has a functioning braking system adequate to control the movement of and to stop the bicycle whenever necessary.</p>	<p>5. Brakes No person shall operate a bicycle unless such bicycle is equipped with a braking mechanism adequate to control the movement of and to stop the bicycle whenever necessary. All such braking mechanisms shall be maintained in efficient working condition at all times.</p>
<p>A person shall not ride a bicycle unless the bicycle is equipped with a horn or bell capable of emitting sound audible under normal conditions for a distance of not less than thirty-five (35) metres.</p>	<p>6. Horn or Bell No person shall operate a bicycle unless such bicycle is equipped with a horn or bell capable of emitting sound audible under normal conditions for a distance of not less than thirty-five (35) metres.</p>
3 SIDEWALKS	
<p>No person, over the age of 14, shall drive a bicycle upon a sidewalk unless:</p> <ol style="list-style-type: none"> 1) the sidewalk is delineated as a Shared-Use Path by signage or pavement markings and they are operating at a moderate rate of speed, or so not to startle, endanger, or interfere with any other person, or 2) they are entering upon or leaving land adjacent to a street. 	

Draft Proposed Bylaw	Current Bicycle Bylaw, No. 6884
4 SHARED-USE PATHS	
On any river crossing, bridge, multi-use path, park trail, or sidewalk designated as a Shared-Use Path, every person operating a bicycle shall:	
1) comply with traffic signals, signs and markings	14. Comply with Traffic Signs Every person operating a bicycle in a park shall comply with the directions or regulations contained on any traffic sign in such park.
2) proceed with due care and attention and with reasonable consideration for all pedestrians and path users	15. Due Care and Attention Every person operating a bicycle in a park shall do so with due care and attention and with reasonable consideration for other persons in such park.
3) yield the right of way to all pedestrians, at all times	16. Yield Right of Way Every person operating a bicycle in a park shall yield the right of way to any pedestrian therein.
4) operate the bicycle to the right of the center of any such sidewalk, trail, or path, except when overtaking and passing a pedestrian or a bicyclist in the same direction	17. Operating on Left Prohibited Every person operating a bicycle upon any sidewalk, trail, or path in a park shall, except when overtaking and passing a pedestrian or bicyclist proceeding in the same direction, operate the bicycle to the right of the center of any such sidewalk, trail, or path.
5) alert anyone about to be overtaken by sounding a horn or a bell a reasonable amount of time before overtaking	18. Passing and Overtaking Every person operating a bicycle upon any sidewalk, trail, or path in a park shall sound a horn or bell prior to overtaking and passing any pedestrian or bicyclist proceeding in the same direction upon any such sidewalk, trail, or path.
6) operate at a moderate rate of speed, or so not to startle, endanger, or interfere with any other person.	19. Rate of Speed No person shall operate a bicycle in a park at an immoderate rate of speed, or so as to startle, endanger, or interfere with any other person in such park.

Draft Proposed Bylaw	Current Bicycle Bylaw, No. 6884
5 BRIDGES	BRIDGES
<p>In traversing any bridge or river crossing, a person operating a bicycle may:</p> <ol style="list-style-type: none"> 1) use that portion of the bridge or river crossing as is intended for the passage of motor vehicles; or, 	<p>20. In traversing any bridge or river crossing a person operating a bicycle may:</p> <ol style="list-style-type: none"> (a) subject to Section 22, utilize that portion of the bridge or river crossing as is intended for the passage of motor vehicles; or, (b) notwithstanding any other provision hereof, utilize the sidewalk portion of any bridge or river crossing.
<ol style="list-style-type: none"> 2) use the sidewalk portion of any bridge or river crossing as a Shared-Use Path. 	<p>21. Crossing on Sidewalk</p> <p>In traversing any bridge or river crossing upon the sidewalk as provided in Section 20(b), every person operating a bicycle shall:</p> <ol style="list-style-type: none"> (a) proceed with due care and attention and with reasonable consideration for all pedestrians; and, (b) yield the right of way to all pedestrians; and, (c) dismount and walk the bicycle when passing a pedestrian proceeding in the same direction upon such sidewalk.
6 CYCLE TRACKS	BICYCLE LANES
<p>A person riding a bicycle in a cycle track shall travel only in the direction designated for that lane.</p> <p>Vehicles other than bicycles may not drive, stand, stop or park in an exclusive bicycle lane or cycle track except:</p> <ol style="list-style-type: none"> 1) where the bicycle lane marking is dashed, motor vehicles may, when safe to do so, merge into the bicycle lane to make a turn. 2) where the bicycle lane is located between the travel lane and the parking lane, motor vehicles may, when safe to do so, cross the bicycle lane for parking the vehicle. 	<p>13. In any location where an exclusive lane for the passage of bicycles has been established and is so designated by traffic signs and pavement markings, every person operating a bicycle shall utilize such lane only, except that any such person may depart from the exclusive bicycle lane when approaching an intersection and indicating an intention to turn by giving the required signal to that effect.</p>

Draft Proposed Bylaw	Current Bicycle Bylaw, No. 6884
7 MOTORIST OVERTAKING A PERSON RIDING A BICYCLE	
<p>Every person in charge of a motor vehicle who is overtaking a person travelling on a bicycle on a street with one traffic lane in the direction of travel, shall, as nearly as may be practicable, leave a distance of not less than one meter between the bicycle and the motor vehicle and shall maintain that distance until safely past the bicycle. The one-meter distance required refers to the distance between the extreme right side of the motor vehicle and the extreme left side of the bicycle, including all projections and attachments.</p>	
8 FREEWAYS	FREEWAY SYSTEM
<p>No person shall operate a bicycle upon any of those streets set forth in Schedule “A”, except upon that portion of any such street as is clearly set aside and designated for the passage of bicycles.</p> <ol style="list-style-type: none"> 1. Idylwyld Drive from 20th Street south to Circle Drive; 2. Circle Drive South from Idylwyld Drive east to Highway No. 11; 3. Circle Drive North from Millar Avenue east and south to College Drive; 4. Attridge Drive from Circle Drive to Central Avenue; 5. Circle Drive west from Idylwyld Drive South to Airport Drive 	<p>22. Freeways No person shall operate a bicycle upon any of those streets set forth in Schedule "A" hereto, except upon that portion of any such street as is clearly set aside and designated for the passage of bicycles.</p> <ol style="list-style-type: none"> 1. Idylwyld Drive from 20th Street south to Circle Drive; 2. Circle Drive South from Idylwyld Drive east to Highway No. 11; 3. Circle Drive North from Millar Avenue east and south to College Drive; 4. Attridge Drive from Circle Drive to Central Avenue; 5. Circle Drive between 33rd Street and Airport Drive.
9 PENALTIES	PENALTIES
<p>The penalty for breach of any of the provisions of this Bylaw shall be as set forth in Schedule “B” hereto.</p> <p>Every person who breaches any of the provisions of this Bylaw is guilty of an offense and liable on summary conviction to a fine of (\$50.00) Dollars, hereinafter referred to as the stipulated penalty.</p>	<p>23. The penalty for breach of any of the provisions of this Bylaw shall be as set forth in Schedule "B" hereto.</p> <p>Every person who breaches any of the provisions of this Bylaw is guilty of an offense and liable on summary conviction to a fine of Fifty (\$50.00) Dollars, hereinafter referred to as the stipulated penalty.</p>

EXPLANATION OF CHANGES

1 OPERATION

Proposed Bylaw:

A person riding a bicycle:

- 1) has the same rights and duties as a driver of a motor vehicle and is subject to the rules and regulations of the provincial Traffic Safety Act
- 2) shall not ride without due care and attention
- 3) shall not ride on a sidewalk unless permitted by signs or markings
- 4) shall utilize only that portion of the street as is intended for the passage of motor vehicles, except that cyclists may ride in a parking lane
- 5) shall keep at least one hand on the handlebars at all times
- 6) shall not ride other than upon or astride a regular seat of the bicycle
- 7) shall not use it to carry more persons at one time than the number for which it is designed and equipped
- 8) shall not carry any package, bundle, or article which prevents them from keeping both hands on the handlebars or obstructs their view
- 9) shall not ride on the left side of any two other bicycles being operated abreast on a street, except to overtake
- 10) shall not ride where signs and markings prohibit its use
- 11) shall not perform or engage in any stunt or other activity that is likely to distract, startle or interfere with other transportation network users
- 12) must give a signal by hand and arm prior to turning in the following manner:
 - a) when making a left-hand turn, by extending the left arm horizontally.
 - b) when making a right-hand turn, by extending the left arm bent vertically upwards.

Changes:

- Removed requirement for people cycling to ride as close to curb as practicable.
- Added hand signaling requirement.
- Clarified the number of passengers allowed.
- Clarified allowable loads.

1.1 REMOVED REQUIREMENT FOR PEOPLE CYCLING TO RIDE AS CLOSE TO CURB AS PRACTICABLE

Former Bylaw

Every person operating a bicycle shall utilize only that portion of the street as is intended for the passage of motor vehicles and shall be so positioned thereon as to be as close as is reasonably practicable to the right hand curb, except that any such person operating a bicycle may leave the proximity of the right hand curb when approaching an intersection and indicating an intention to turn by giving the required signal to that effect.

Discussion

Best practice is for cyclists is to ride in the middle of the right-hand lane to emphasise their presence in the road to drivers behind, or to stop them overtaking where it is not safe. It is not safe to ride too close to the curb because of the presence of the gutter as well as the 'door zone' close to parked cars.

1.2 ADDED HAND SIGNALING REQUIREMENT

Former Bylaw

Did not address hand signalling but alluded to it in Section 8, “...indicating an intention to turn by giving the required signal to that effect.”

Discussion

A key strategy for people riding bicycles on streets is to be as visible and as predictable as possible. Hand signalling by people riding bicycles lets other street users know what the cyclist is intending to do. A person operating a bicycle should signal when turning left and right or when changing lanes.

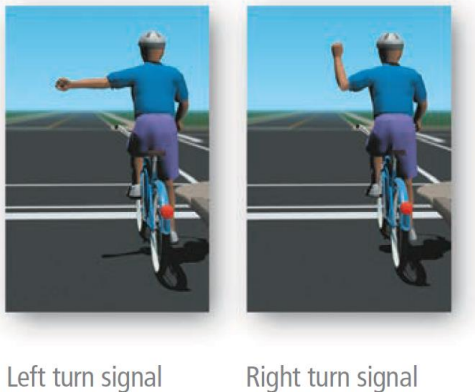


Figure 1 - Hand Signals (Nova Scotia's Driver Handbook 2013, p. 72)

1.3 CLARIFIED THE NUMBER OF PASSENGERS ALLOWED

Former Bylaw

No person shall operate a bicycle while carrying thereon any other person, except that such person may carry one passenger where the bicycle is equipped with a properly constructed pillion seat securely fastened over the rear wheel thereof.

Discussion

Bicycles are built for many purposes – some of which have been constructed expressly to transport multiple children. The proposed bylaw clarifies that a person riding a bicycle shall not use it to carry more persons at one time than the number for which it is designed and equipped.

1.4 CLARIFIED ALLOWABLE LOADS

Former Bylaw

No person shall operate a bicycle while carrying thereon any load in excess of twenty-five (25) kilograms, nor shall such load extend to a greater width than forty-five (45) centimetres on either side of the center line of the bicycle, nor to such a height as would obstruct the clear vision in all directions of the person operating the bicycle while seated on the seat thereof.

Discussion

The restriction of load size and weight is prohibitive to those who use their bike to travel carrying luggage or cargo, such as groceries. Quite often, people have bicycles built specifically for larger loads. Thus, the new bylaw simply restricts any load that could prevent the bicyclist from maintain control of their bicycle by keeping both hands on the handlebars. As well, any load that obstructs the view of the cyclist is to be avoided.

2 BICYCLE EQUIPMENT

Proposed Bylaw:

A person shall not ride a bicycle during the period from one-half hour before sunset to one-half hour after sunrise, or at any other time when conditions of poor visibility exist, unless the bicycle has the following:

- 1) at least one headlamp**
- 2) at least one red rear light or red reflector**

A person shall not ride a bicycle unless the bicycle has a functioning braking system adequate to control the movement of and to stop the bicycle whenever necessary.

A person shall not ride a bicycle unless the bicycle is equipped with a horn or bell capable of emitting sound audible under normal conditions for a distance of not less than thirty-five (35) metres.

Change:

- Added that a red rear reflector may be used instead of a light.

3 SIDEWALKS

Proposed Bylaw:

No person, over the age of 14, shall drive a bicycle upon a sidewalk unless:

- 1) the sidewalk is delineated as a Shared-Use Path by signage or pavement markings and they are operating at a moderate rate of speed, or so not to startle, endanger, or interfere with any other person, or
- 2) they are entering upon or leaving land adjacent to a street.

Changes:

- Reiterated sidewalk riding prohibition.
- Added allowance for children under 14.

3.1 REITERATED SIDEWALK RIDING PROHIBITION

Former Bylaw

Every person operating a bicycle shall utilize only that portion of the street as is intended for the passage of motor vehicles...

Discussion

Cyclists should be discouraged from riding on sidewalks where motorized traffic may turn across their paths, unless cyclists proceed at speeds not exceeding pedestrian traffic. By extension, crosswalk riding should also be prohibited except where shared-use crossings are indicated by signage and pavement markings. Many cities restrict riding on sidewalks except when designated as a “Shared-Use Path” where people cycling are to yield the right of way to people walking and to reduce operating speeds.

Adequate sight distance for the exit maneuver from the driveway is one of the most critical elements for restricting cycling on sidewalks. Sight distance is determined in consideration of the design speed of the intersection roadway and sight triangle requirements. It is often difficult to provide the desired sight distance due to restrictions created by parked cars, fencing and vegetation. Reduced sight distances are generally tolerable in situations due to the low operating speeds and caution exercised by drivers (TAC, 2017). Limited visibility does not afford the time for a motorist to perceive an approaching cyclist who is travelling faster than a pedestrian and closer to the motorist.

Cyclists who ride on the sidewalk face higher risks of collisions with motor vehicles at driveways, lanes and intersections. Aultman-Hall and Adams (1998) concluded through empirical evaluation that overall, travel on roads has the lowest injury and fall rates, followed by off-road paths and then sidewalks. Sidewalk cyclists incurred higher accident rates than road cyclists on both roads and paths and attributed



Figure 2 - Cross-ride example

this to their being less skilled. The authors recommended that sidewalk cyclists need to be trained rather than being told merely to cease cycling on sidewalks.

3.2 **ADDED ALLOWANCE FOR CHILDREN UNDER 14**

Former Bylaw

Did not specify a maximum allowable age for sidewalk riding.

Discussion

The previous bylaw did not indicate a maximum age allowable because the Summary Offences Procedure Act indicates that no person under the age of 12 years is liable to be convicted of an offence under any Act, regulation or bylaw. Thus, notices of violation are not issued to a person who is under 12 years of age. Many jurisdictions follow this reasoning and do not specify a maximum allowable age in their regulations.

The revised bylaw clarifies that sidewalk riding is allowed for children under the age of 14. Some jurisdictions specify a maximum allowable age of 14 or specify a maximum wheel diameter. At 14 years of age, children are high-school aged and on the cusp of receiving driver’s learner permits. At this age, young adults should be confident and capable to ride on the street.

Regulations that specifying the maximum wheel diameter focuses on the equipment rather than age or ability. The figure below shows the relative differences in wheel diameters for typical bicycles. A wheel diameter specification considers the ability of the person cycling rather than an absolute age. Adult bicycles usually have wheel diameters in excess of 50cm, except for increasingly popular folding bicycles. Enforcement in the field, conversely, is more difficult.



Figure 3- Comparison of wheel diameters

<i>Table 1 - Comparison of Jurisdictions: Age and wheel diameter stipulations</i>			
	Ages allowed on sidewalk	Wheel Diameter	Bicycle Type
Calgary	14		
Edmonton	not specified	Less than 50 cm	
Kelowna	12		Non-chain driven 3 or 4 wheeled cycle
Manitoba	not specified	Less than 41cm	
Ottawa	not specified		
Vancouver	16		

4 SHARED-USE PATHS

Proposed Bylaw:

On any river crossing, bridge, multi-use path, park trail, or sidewalk designated as a Shared-Use Path, every person operating a bicycle shall:

- 1) comply with traffic signals, signs and markings
- 2) proceed with due care and attention and with reasonable consideration for all pedestrians and path users
- 3) yield the right of way to all pedestrians, at all times
- 4) operate the bicycle to the right of the center of any such sidewalk, trail, or path, except when overtaking and passing a pedestrian or a bicyclist in the same direction
- 5) alert anyone about to be overtaken by sounding a horn or a bell a reasonable amount of time before overtaking
- 6) operate at a moderate rate of speed, or so not to startle, endanger, or interfere with any other person.

Changes:

- Clarified Shared Use designation.
- Applied rules for park trails to all shared-use facilities.

4.1 CLARIFIED SHARED USE DESIGNATION

Former Bylaw

Did not address Shared Use Path designations.

Discussion

Shared-Use Paths are a significant part of Saskatoon's All Ages and Abilities cycling system and pedestrian network. They are not restricted to park settings but comprise river crossings, bridges, multi-use paths, park trails, and designated sidewalks. As defined earlier, a Shared Use Path means multi-use path or sidewalk delineated by signage or pavement markings where people cycling share the facility with pedestrians. Stakeholders noted that any Shared Use path should be wider than 1.5 meters.



Figure 4 - Shared Use pathway sign



Figure 5 - Multi-Use Pathway (may or may not be signed as Shared Use)



Figure 6 - Sidewalk signed as Shared Use Path

4.2 APPLIED RULES FOR PARK TRAILS TO ALL SHARED-USE FACILITIES

Former Bylaw

Rules for sign compliance, sidewalk riding, due care and attention, passing pedestrians, and rates of speed applied only to park facilities.

Discussion

Shared-Use Paths are not restricted to park settings.

5 BRIDGES

Proposed Bylaw:

In traversing any bridge or river crossing, a person operating a bicycle may:

- 1) use that portion of the bridge or river crossing as is intended for the passage of motor vehicles; or,
- 2) use the sidewalk portion of any bridge or river crossing as a Shared-Use Path.

Change:

- Removed requirement for people cycling to dismount.

5.1 REMOVED REQUIREMENT FOR PEOPLE CYCLING TO DISMOUNT

Former Bylaw

In traversing any bridge or river crossing upon the sidewalk as provided in Section 20(b), every person operating a bicycle shall:

- (a) proceed with due care and attention and with reasonable consideration for all pedestrians; and,*
- (b) yield the right of way to all pedestrians; and,*
- (c) dismount and walk the bicycle when passing a pedestrian proceeding in the same direction upon such sidewalk.*

Discussion

The sidewalks on and approaching bridges and river crossings are designated as Shared-Use Paths and are a significant part of Saskatoon's all Ages and Abilities cycling system and pedestrian network. Many have steep grades that a new or nervous cyclist would not be able to comfortably cross. Therefore, people riding bicycles have the option of using the street or sidewalk. Note that cyclists are not to ride on freeways as per Section 8.

6 CYCLE TRACKS

Proposed Bylaw:

A person riding a bicycle in a cycle track shall travel only in the direction designated for that lane.

Vehicles other than bicycles may not drive, stand, stop or park in an exclusive bicycle lane or cycle track except:

- 1) where the bicycle lane marking is dashed, motor vehicles may, when safe to do so, merge into the bicycle lane to make a turn.**
- 2) where the bicycle lane is located between the travel lane and the parking lane, motor vehicles may, when safe to do so, cross the bicycle lane for parking the vehicle.**

Changes

- Added requirement for people cycling to ride in the direction of traffic.
- Removed requirement for people riding bicycles to use only exclusive bicycle lanes if present.

6.1 ADDED REQUIREMENT FOR PEOPLE CYCLING TO RIDE IN THE DIRECTION OF TRAFFIC

Former Bylaw

Did not specify direction of travel for cycle tracks or exclusive bicycle lanes.

Discussion

People must bike with the direction of traffic on a cycle track including an exclusive bicycle lane, unless otherwise signed. People riding bicycles are to be as visible and as predictable as possible, especially at conflict points with people driving, such as intersections and exiting driveways. Motorists naturally expect traffic nearest to them to be approaching from the left. A person riding a bike approaching on the right is counter to a turning motorist's expectations.

6.2 REMOVED REQUIREMENT FOR PEOPLE RIDING BICYCLES TO USE ONLY EXCLUSIVE BICYCLE LANES

Former Bylaw

In any location where an exclusive lane for the passage of bicycles has been established and is so designated by traffic signs and pavement markings, every person operating a bicycle shall utilize such lane only, except that any such person may depart from the exclusive bicycle lane when approaching an intersection and indicating an intention to turn by giving the required signal to that effect.

Discussion

Protected bike lanes, raised cycle track and shared paths are all considered part of Saskatoon's All Ages and Abilities (AAA) cycling network. AAA facilities provide separation between people driving and people cycling to ensure safety and comfort for both. AAA facilities provide a level of protection from motor vehicles that is welcoming to cyclists of all skill levels. Nevertheless, people cycling who are

comfortable riding with traffic and are able to sustain higher travel speeds may choose to ride in the traffic lanes with motor vehicles. For this reason, it is current practice not to legislate that cyclists use exclusive bike lanes only. Of cities studied, only Kelowna specifies that a person riding a bicycle must ride on a bicycle path or exclusive bike lane if one is available.

<i>Table 2 - Comparison of Jurisdictions: Must only use exclusive bike lanes</i>	
Calgary	No
Edmonton	No
Kelowna	Must, ride as near as practical to the right side of a highway, within a bicycle path if available
Ottawa	No
Regina	No
Toronto	No
Vancouver	No
Victoria	No
Winnipeg	No

7 MOTORIST OVERTAKING A PERSON RIDING A BICYCLE

Proposed Bylaw:

Every person in charge of a motor vehicle who is overtaking a person travelling on a bicycle on a street with one traffic lane in the direction of travel, shall, as nearly as may be practicable, leave a distance of not less than one meter (or three feet) between the bicycle and the motor vehicle and shall maintain that distance until safely past the bicycle. The one-meter distance required refers to the distance between the extreme right side of the motor vehicle and the extreme left side of the bicycle, including all projections and attachments.

Change:

- Added one-meter passing rule for two-way, single-lane streets.

7.1 ADDED ONE-METER PASSING RULE FOR TWO-WAY, SINGLE-LANE STREETS.

Former Bylaw

Did not address motorists overtaking cyclists.

Discussion

The Cities Act authorizes the City to pass bylaws regulating vehicles and pedestrians on the street as long as they do not conflict with The Traffic Safety Act (TSA) or other provincial legislation. The TSA sets out the basic rules of the road. The City is not able to modify the rules of the road. If the TSA provisions are followed, either the person riding a bicycle or the motor vehicle driver must move into a different lane to pass the person on a bicycle. Section 220 of the TSA indicates that no vehicle shall pass another vehicle unless it is safe to do so. However, the passing rule in the revised bylaw applies to when the traffic lane is reasonably and practicably wide enough for the motor vehicle to pass within the lane providing one-metre of clearance.

Section 228(1) of the provincial Traffic Safety Act addresses the rules of the road regarding traffic lanes:

228(1) If a highway is divided into traffic lanes, the following rules apply:

- (a) no driver of a vehicle shall fail to drive as nearly as is practicable entirely within one lane or shall drive from that lane to another unless it is safe to do so;
- (b) no driver of a vehicle shall drive from one traffic lane to another if a solid line exists between lanes except:
 - (i) if solid and broken lines exist together, in which case the driver may cross the solid line from a lane in which the broken line exists; or
 - (ii) if the lane is designated by signs as a two-way left turn lane;
- (c) no driver of a vehicle shall drive to the left of the centre of the highway where a solid line exists in the right-hand lane near the centre of the highway;
- (d) a driver of a vehicle may drive from one traffic lane to another if broken lines exist between lanes;

- (e) no driver of a motorcycle shall drive so that more than two motorcycles move abreast in a traffic lane at any time;
- (f) no driver of a motorcycle shall drive beside any other vehicle in the same traffic lane, unless that other vehicle is a motorcycle.

The TSA stipulates that vehicles, especially motor vehicles, are not supposed to “pass” another vehicle, including, a person on a bicycle, within the traffic lane. Either the person riding the bicycle has to move into another lane or the motor vehicle has to move into another lane (usually the left lane). Therefore, according to the TSA, no vehicle other than a motorcycle-sized vehicle can pass another motorcycle-sized vehicle in the same traffic lane.

<i>Table 3 - Comparison of Jurisdictions: One-meter passing rules</i>	
Alberta	Nearing implementation
Newfoundland & Labrador	Yes
Nova Scotia	Yes
Ontario	Yes

8 FREEWAYS

Proposed Bylaw:

No person shall operate a bicycle upon any of those streets set forth in Schedule “A” hereto, except upon that portion of any such street as is clearly set aside and designated for the passage of bicycles.

Change:

- Update of Schedule A: City of Saskatoon Freeway System to include Circle Drive South.

8.1 UPDATED SCHEDULE A: FREEWAY SYSTEM

Former Bylaw

1. *Idylwyld Drive from 20th Street south to Circle Drive;*
2. *Circle Drive South from Idylwyld Drive east to Highway No. 11;*
3. *Circle Drive North from Millar Avenue east and south to College Drive;*
4. *Attridge Drive from Circle Drive to Central Avenue;*
5. *Circle Drive between 33rd Street and Airport Drive.*

Discussion

The bylaw has not yet been updated to include Circle Drive South. Therefore, Schedule A, item 5, will be updated to read: “Circle Drive west from Idylwyld Drive South to Airport Drive.”

9 PENALTIES

Proposed Bylaw:

The penalty for breach of any of the provisions of this Bylaw shall be as set forth in Schedule "B" hereto.

Every person who breaches any of the provisions of this Bylaw is guilty of an offense and liable on summary conviction to a fine of (\$50.00) Dollars, hereinafter referred to as the stipulated penalty.

Change:

- None.

10 ELECTRIC OR POWER ASSISTED BICYCLES

Proposed Bylaw:

“Electric Bicycle” or “Power Assisted Bicycle” means a bicycle that combines muscular power propulsion with electric motor assistance as defined under the Motor Vehicle Safety Regulations (Canada) (C.R.C., c. 1038).

Change:

- Definition of electric bicycle.

10.1 DEFINITION OF ELECTRIC BICYCLE

Former Bylaw

Did not address electric bicycles.

Discussion

Power-assisted bicycles, or ‘e-bikes’, are becoming more prevalent as they combine muscular power propulsion with power assistance. No additional legislation is recommended at this time.

Under the Motor Vehicle Safety Regulations (Canada) (C.R.C., c. 1038), Section 2(1), provides nationwide parameters:

2 (1) **power-assisted bicycle** means a vehicle that:

- (a) has steering handlebars and is equipped with pedals,
- (b) is designed to travel on not more than three wheels in contact with the ground,
- (c) is capable of being propelled by muscular power,
- (d) has one or more electric motors that have, singly or in combination, the following characteristics:
 - (i) it has a total continuous power output rating, measured at the shaft of each motor, of 500 W or less,
 - (ii) if it is engaged by the use of muscular power, power assistance immediately ceases when the muscular power ceases,
 - (iii) if it is engaged by the use of an accelerator controller, power assistance immediately ceases when the brakes are applied, and
 - (iv) it is incapable of providing further assistance when the bicycle attains a speed of 32 km/h on level ground,
- (e) bears a label that is permanently affixed by the manufacturer and appears in a conspicuous location stating, in both official languages, that the vehicle is a power-assisted bicycle as defined in this subsection, and
- (f) has one of the following safety features,
 - (i) an enabling mechanism to turn the electric motor on and off that is separate from the accelerator controller and fitted in such a manner that it is operable by the driver, or

- (ii) a mechanism that prevents the motor from being engaged before the bicycle attains a speed of 3 km/h;

Section 247 of the provincial Traffic Safety Act addresses the rules regarding power assisted bicycles:

- 247(1) No person shall drive a power-assisted bicycle on a highway unless:
- (a) that person is 14 years of age or older;
 - (b) that person and any passenger are wearing, in the prescribed manner, a helmet that meets the prescribed specifications; and
 - (c) the power-assisted bicycle meets the prescribed equipment and safety standards required for the operation of that power-assisted bicycle.

10.2 FUTURE DIRECTION

Industry and jurisdiction governance is becoming more of an issue across Canada. WSP produced a primer and state of practice review in 2019 titled *Leading the Charge on Canadian E-bike Integration*. Pertinent discussion and recommendations for e-bikes ensue for the sake of discussion.

Bicycle-Style E-Bikes (BSEB): BSEB models have a similar physical appearance to non-motorized or conventional bicycles. In Canada, they are capped at 500 watts of power and a speed of 32km/h. They are also known across the globe as pedal-assist bicycles (PABs), pedelecs, and low-speed electric bicycles (MacArthur & Kobel). There are two key typologies within the BSEB category: pedal-assist and throttle-assist. With pedal-assist models, the motor only runs when the rider is pedalling, relieving excess physical strain and expanding the bicycling range. They are most commonly known as pedelecs and PABs.



Figure 7- Comparison of e-bikes (WSP, 2019, p. 48)

More powerful speed pedelecs are known as s-pedelecs, and operate at a higher maximum speed of 45km/h. Some pedelecs/PAB models offer a start-up aid, which allows the motor to run briefly (at a maximum speed of 6km/h) to help the rider start after a stop. A start-up aid is not the same functionality as a throttle. Models with start-up aids are still considered pedal-assisted. In contrast, throttle-assist models still operate the motor as the rider pedals, but can also run the motor independently from pedalling through a throttle - normally located on the handlebars. These models are known as throttle-assisted PABs.

Scooter-Style E-bikes (SSEB): SSEB models resemble mopeds in their frame and operate the motor independently from pedalling, via a throttle. However, to comply with the legal definition of an e-bike, SSEB models mandate pedals that could be operated by human-power. As such, SSEB models straddle the definition of electric bicycles; although their pedals are mandated, they are rarely functional. In Canada, they are capped at 500 watts of power and a speed of 32km/h. They are known as e-bikes, electric scooters and electric mopeds.

For the rest of this text, “e-bike” refers to a bicycle-style pedelec type e-bike, unless BSEB or SSEB is used to delineate one from the other.

Table 4 - Comparison of BSEBs and SSEBs

	Bicycle-Style E-Bike	Scooter-Style E-Bike
POWER MODE To legally comply with the definition of an e-bike, each model must have pedals that could be operated by human power.	Motor assists pedaling (with the optional throttle)	Motor runs independently from pedaling (with optional pedaling)
BATTERY RANGE For both models, battery life is commonly influenced by the quality of the manufacturer and the frequency of use.	30-70 km on average	~100 km on average
WEIGHT Generally, BSEB models are lighter than SSEB models.	Approximately 22-30 kg	Approximately 75-100 kg
MOTOR LOCATION Depending on the model and location, the location of the motor can vary.	Front-wheel, rear-wheel or hub options	Front-wheel, rear-wheel or hub options
LEGAL CLASSIFICATION Legal classifications vary depending on the region.	Legally classified as a bicycle in Canada	Legally classified as a bicycle in Canada

(Adapted from WSP, 2019, p. 7)

Regulation

Pedelecs and throttle-assisted pedal-assist bicycles are already regulated as bicycles, but are grouped together with Scooter Style E-Bikes (SSEBs). To maximize the potential of pedelecs/PABs as an integrated mobility option, they should be categorized separately from other e-bike models, and from each other. WSP recommends the following:

- Classify full-pedal assist bicycles a Type A-1 and throttle-assisted pedal-assist bicycles Type A-2 with the following stipulations.
 - Permit pedelecs and Permit Type A e-bikes similar to conventional bicycles.
 - Maintain the maximum speed of 32km/h
 - Maintain all other existing requirements of power-assisted bicycles
 - Require a speedometer on Type A e-bikes.
 - Require that the motor cease when human propulsion ceases for pedelecs, and that the motor ceases when brakes are applied for Type A-2.

Currently, s-pedelecs, Type B, are not permitted within the power-assisted bicycle definition as they exceed the maximum 32 km/h speed. The Bicycle Product Suppliers Association permits s-pedelecs as bicycles in their classification model given that the U.S. does not explicitly prohibit e-bikes that can travel at a speed higher than 32 km/h. Currently, Canada does not have a definition for s-pedelecs. Based on the lessons learned from the EU, it is recommended that s-pedelecs be clearly defined in provincial legislation as a type of moped with required licensing that would recognize their pedal-assist nature, but also recognize their increased speed to reduce potential injuries and mode conflicts. WSP recommends the following:

- Define Type B e-bikes as licensed motor vehicles.
- Indicate a unique definition for Type B e-bikes within the existing moped definition

With the above recommendations, SSEBs, classified as Type C, would still exist within the e-bike classification, as they functionally match the legal description of power-assisted bicycles. However, SSEB can be regulated via weight, wheel diameter requirements or specific pedal functionality. In the proposed bylaw, the person riding an e-bike must “pedal for propulsion” thus requiring functioning pedals. WSP recommends the following:

- Define a functional difference between Type A-2 and Type C through regulation requiring human-propulsion, maximum wheel size and maximum weight (similar to Ontario’s regulation)
- Require a speedometer on Type C e-bikes
- Prohibit Type C on multi-use trails and other off-road facilities
- Require Type C E-bikes to operate in motor vehicle travel lanes, similar to motor vehicles.

Table 5 – Recommended Regulatory Framework for BSEBs and SSEBs			
Bicycle Style E-Bikes	PEDELEC/PEDAL-ASSISTED E-BIKES		Type A
	1) Full pedal-assist Pedal-assists motor Max speed: 32km/h	2) Pedal-assist + throttle Pedal-assists motor + throttle that can replace pedaling Max speed: 32km/h	
	SPEED-PEDELECS (S-PEDELECS)		Type B
Full pedal-assist Pedal-assists motor Max speed: 45km/h Treated as a motor vehicle. Not allowable under Canada’s Motor Vehicle Safety Regulations			
	SCOOTER-STYLE E-BIKES		Type C
	Throttle-assist + functional pedals Motor is run by throttle + bicycle pedals that can propel the bike Max speed: 32km/h Delineate from Type A-2 by weight and human propulsion Treated as a motor vehicle.		

Table 6 – Comparison of Jurisdictions: Power-Assisted Bicycles

	Min. Age	Helmet required	Weight limit (kg)	Min. Wheel size	Other
Alberta	12	Yes			
British Columbia	16	Yes			
Manitoba	14	Yes			
Newfoundland & Labrador		Yes			
Ontario	16	Y	120	35mm/350 mm	
Toronto			40		
Ottawa			55		No hand or foot clutch
Saskatchewan	14	Yes			

Other provinces add no other requirements or reference Government of Canada’s Motor Vehicle Safety Regulations.

11 HELMETS

Proposed Bylaw:

- None, but the City will continue to recommend helmet use by all cyclists and passengers and encourage provincial legislation for cyclists under 18 years of age.

Change:

- None.

11.1 DISCUSSION

Saskatchewan has no helmet legislation at the provincial level, yet this has not precluded cities from enacting rules regarding helmets. For example, both Yorkton and Moose Jaw have adopted bylaws requiring mandatory helmet use; Yorkton's law applies to all cyclists, while Moose Jaw's applies to cyclists under 18 years of age.

Helmet use while cycling is regulated in seven provinces. Helmets are mandatory for all ages in British Columbia, New Brunswick, Newfoundland & Labrador, Nova Scotia and Ontario. Helmets are mandatory for those under 18 in Alberta and Manitoba.

Notwithstanding regulation, opponents to helmet regulation cite that the expense of helmets is a barrier to increasing cycling mode share and that motorists take greater risks when approaching cyclist wearing helmets.

The Administration will continue to recommend helmet use by all cyclists and passengers and encourage provincial legislation for cyclists under 18.

Table 7 – Comparison of Jurisdictions: Helmets Required

	Status
Alberta	Under 18
British Columbia	All Ages
Manitoba	Under 18
New Brunswick	All Ages
Newfoundland & Labrador	All Ages
Northwest Territories	None
Nova Scotia	All Ages
Nunavut	None
Ontario	All Ages
Prince Edward Island	None
Quebec	None
Saskatchewan	None
Yukon	None

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REGULATIONS REVIEWED

SASKATCHEWAN	The Traffic Safety Act, Chapter T-18.1
Regina	Bylaw No. 9900
ALBERTA	Traffic Safety Act
Edmonton	Bylaw 5590 - Traffic Bylaw
Edmonton	Bylaw 2202 - Parkland Bylaw (Trail Use)
Calgary	Traffic Bylaw Number 26M96
Calgary	Parks and Pathways Bylaw Number 20M2003
BRITISH COLUMBIA	Motor Vehicle Act [RSBC 1996] Chapter 318
Kelowna	Consolidated Traffic Bylaw No. 8120
Victoria	Streets and Traffic Bylaw No. 09-079
Vancouver	Street and Traffic Bylaw No. 2849
MANITOBA	The Highway Traffic Act, C.C.S.M. c. H60
Winnipeg	Traffic By-Law No. 1573/77
ONTARIO	Highway Traffic Act, R.S.O. 1990, c. H.8
Toronto	Toronto Municipal Code Chapter 886, Footpaths, Pedestrian Ways, Bicycle Paths, and Cycle Tracks
Toronto	Toronto Municipal Code Chapter 950, Traffic and Parking
Ottawa	By-Law No. 2003-530
OREGON	Oregon Revised Statutes, Vol. 17
Portland	City Charter, Title 16 Vehicles and Traffic

APPENDIX A: BICYCLE BYLAW, NO. 6884

Bylaw No. 6884

A Bylaw of The City of Saskatoon to control and regulate the operation of bicycles upon and in the streets, parks, and other places in the City of Saskatoon.

**Codified to Bylaw No. 8994
(December 19, 2011)**

BYLAW NO. 6884

A Bylaw of The City of Saskatoon to control and regulate the operation of bicycles upon and in the streets, parks, and other places in the City of Saskatoon.

The Council of The City of Saskatoon enacts as follows:

Short Title, Interpretation and Application

Short Title

1. This Bylaw may be cited as "The Bicycle Bylaw".

Interpretation

2. In this Bylaw:
 - (a) "Act" means The Highway Traffic Act of the Province of Saskatchewan and all amendments thereto;
 - (b) "bicycle" means any muscular propelled, chain-driven wheeled device in, on, or by which a person is or may be transported or drawn;
 - (c) "curb" means the dividing line between that portion of any street intended for the passage of motor vehicles and that intended primarily for the use of pedestrians, whether marked with any form of curbstone or not;
 - (d) "License Bylaw" means Bylaw No. 6066 of The City of Saskatoon and all amendments thereto;
 - (e) "park" means any improved or unimproved lands owned by or subject to the direction and control of The City of Saskatoon and intended for the recreational use and enjoyment of the general public, and, without limitation, includes all those areas encompassed by what is commonly known as the Meewasin Valley Trail, and all lands and environs associated therewith;
 - (f) "pedestrian" means any person on foot or in a wheelchair;

- (g) "sidewalk" means that portion of any street intended primarily for use by pedestrians;
- (h) "street" means all or any part of a road allowance, highway, road, lane, bridge, place, alley, square, thoroughfare, or way intended for or used by the general public for the passage of vehicles or pedestrians;
- (i) "Traffic Bylaw" means Bylaw No. 4284 of The City of Saskatoon and all amendments thereto;
- (j) "traffic sign" means any sign, signal, marking, or other device, placed painted, or erected for the guidance, regulation, warning, direction, or prohibition of traffic;
- (k) any other words shall, insofar as they are not inconsistent with this Bylaw, have the same meaning as in the Act.

3. **Application**

This Bylaw shall apply to the operation of all bicycles upon or in the streets, parks, and other public places in the City of Saskatoon.

LICENSE

4. Repealed by Bylaw No. 7387 - December 20, 1993

EQUIPMENT

5. **Brakes**

No person shall operate a bicycle unless such bicycle is equipped with a braking mechanism adequate to control the movement of and to stop the bicycle whenever necessary. All such braking mechanisms shall be maintained in efficient working condition at all times.

6. **Horn or Bell**

No person shall operate a bicycle unless such bicycle is equipped with a horn or bell capable of emitting sound audible under normal conditions for a distance of not less than thirty-five (35) metres.

7. **Lights and Reflective Devices**

No person shall operate a bicycle during the period from one-half hour after sunset to one-half hour before sunrise, or at any other time when conditions of poor visibility exist, unless such bicycle is equipped with and displays an operating headlight together with a red rear light or reflective device.

OPERATION

8. **Position on Street**

Every person operating a bicycle shall utilize only that portion of the street as is intended for the passage of motor vehicles and shall be so positioned thereon as to be as close as is reasonably practicable to the right hand curb, except that any such person operating a bicycle may leave the proximity of the right hand curb when approaching an intersection and indicating an intention to turn by giving the required signal to that effect.

9. **Two Abreast**

Except as is necessary for the purpose of passing, no person shall operate a bicycle on the left side of any two other bicycles being operated abreast.

10. **Stunting**

Every person operating a bicycle shall have at least one hand on the handle bars at all times, and no person operating a bicycle shall perform or engage in any acrobatic or other stunt.

11. **Passengers**

No person shall operate a bicycle while carrying thereon any other person, except that such person may carry one passenger where the bicycle is equipped with a properly constructed pillion seat securely fastened over the rear wheel thereof.

12. **Loads**

No person shall operate a bicycle while carrying thereon any load in excess of twenty-five (25) kilograms, nor shall such load extend to a greater width than forty-five (45) centimetres on either side of the center line of the bicycle, nor to such a height as would obstruct the clear vision in all directions of the person operating the bicycle while seated on the seat thereof.

BICYCLE LANES

13. In any location where an exclusive lane for the passage of bicycles has been established and is so designated by traffic signs and pavement markings, every person operating a bicycle shall utilize such lane only, except that any such person may depart from the exclusive bicycle lane when approaching an intersection and indicating an intention to turn by giving the required signal to that effect.

PARKS

14. **Comply with Traffic Signs**

Every person operating a bicycle in a park shall comply with the directions or regulations contained on any traffic sign in such park.

15. **Due Care and Attention**

Every person operating a bicycle in a park shall do so with due care and attention and with reasonable consideration for other persons in such park.

16. **Yield Right of Way**

Every person operating a bicycle in a park shall yield the right of way to any pedestrian therein.

17. **Operating on Left Prohibited**

Every person operating a bicycle upon any sidewalk, trail, or path in a park shall, except when overtaking and passing a pedestrian or bicyclist proceeding in the same direction, operate the bicycle to the right of the center of any such sidewalk, trail, or path.

18. **Passing and Overtaking**

Every person operating a bicycle upon any sidewalk, trail, or path in a park shall sound a horn or bell prior to overtaking and passing any pedestrian or bicyclist proceeding in the same direction upon any such sidewalk, trail, or path.

19. **Rate of Speed**

No person shall operate a bicycle in a park at an immoderate rate of speed, or so as to startle, endanger, or interfere with any other person in such park.

BRIDGES

20. In traversing any bridge or river crossing a person operating a bicycle may:

- (a) subject to Section 22, utilize that portion of the bridge or river crossing as is intended for the passage of motor vehicles; or,
- (b) notwithstanding any other provision hereof, utilize the sidewalk portion of any bridge or river crossing.

21. **Crossing on Sidewalk**

In traversing any bridge or river crossing upon the sidewalk as provided in Section 20(b), every person operating a bicycle shall:

- (a) proceed with due care and attention and with reasonable consideration for all pedestrians; and,
- (b) yield the right of way to all pedestrians; and,
- (c) dismount and walk the bicycle when passing a pedestrian proceeding in the same direction upon such sidewalk.

FREEWAY SYSTEM

22. Freeways

No person shall operate a bicycle upon any of those streets set forth in Schedule "A" hereto, except upon that portion of any such street as is clearly set aside and designated for the passage of bicycles.

PENALTIES

23. The penalty for breach of any of the provisions of this Bylaw shall be as set forth in Schedule "B" hereto.

MISCELLANEOUS AND TRANSITION

24. Application of Act and Traffic Bylaw

Except to the extent that they are inconsistent herewith, the relevant provisions of both the Traffic Bylaw and the Act are applicable to the operation of bicycles in the City of Saskatoon.

25. Paramountcy

In the event of any conflict between the provisions of this Bylaw and those contained in Parks Bylaw No. 3187 of The City of Saskatoon, the provisions of this Bylaw shall govern and supersede such Bylaw No. 3187.

26. Consequential Amendments

Paragraphs 4-26, 4-27, and 10-1 through 10-9 inclusive of the Traffic Bylaw, together with the penalties applicable thereto as set forth in Schedule 12-1 of the Traffic Bylaw, are hereby repealed.

27. **Coming into Force**

This Bylaw shall come into force and take effect on the 2nd day of May, A.D. 1988.

Read a first time this 2nd day of May, A.D. 1988.

Read a second time this 2nd day of May, A.D. 1988.

Read a third time and passed this 2nd day of May, A.D. 1988.

"C. Wright"

Mayor

"Susan MacKeigan"

Acting City Clerk

(SEAL)

"APPROVED IN ACCORDANCE WITH PROVISIONS
OF THE URBAN MUNICIPALITY ACT, 1984

DATE: June 23, 1988

D. Abbey

HIGHWAY TRAFFIC BOARD"

SCHEDULE "A"

CITY OF SASKATOON FREEWAY SYSTEM

1. Idylwyld Drive from 20th Street south to Circle Drive;
2. Circle Drive South from Idylwyld Drive east to Highway No. 11;
3. Circle Drive North from Millar Avenue east and south to College Drive;
4. Attridge Drive from Circle Drive to Central Avenue;
5. Circle Drive between 33rd Street and Airport Drive.

SCHEDULE "B"

PENALTIES

1. Every person who breaches any of the provisions of this Bylaw is guilty of an offense and liable on summary conviction to a fine of Fifty (\$50.00) Dollars, hereinafter referred to as the stipulated penalty.
2. The stipulated penalty shall be discounted to the amount of Twenty-five (\$25.00) Dollars, hereinafter referred to as the discounted penalty, if paid or remitted on a voluntary basis in accordance with the provisions set forth hereunder:
 - (a) The Police Department of The City of Saskatoon shall issue a Notice in a form approved by the Chief of such Department to every person alleged to have breached any provision of this Bylaw, requiring every such person to pay or remit unto the City Treasurer of The City of Saskatoon the discounted penalty within fourteen (14) calendar days of the date of the Notice.
 - (b) The discounted penalty may be paid or remitted in any of the following manners:
 - (i) in person, during regular office hours, to the cashier located at City Hall, Saskatoon, Saskatchewan; or,
 - (ii) by deposit, at the depository located at the main entrance to City Hall, Saskatoon, Saskatchewan; or,
 - (iii) by mail, postmarked within the prescribed fourteen (14) day period, to the Office of the City Treasurer, City Hall, Saskatoon, Saskatchewan, S7K 0J5.

Any person requiring a receipt shall attend and pay in person as provided in sub-paragraph (i) above.

 - (c) Upon payment of the discounted penalty in the manner provided herein, no person shall be liable to prosecution with respect to the circumstance described in the Notice to which such payment pertains.
3. The stipulated penalty may be paid in the manner provided herein at any time prior to the date that a person is required to appear in Court to answer a charge under this Bylaw, and, upon payment, the person shall not be liable to further prosecution with respect to such charge.

APPENDIX B: STAKEHOLDER ENGAGEMENT

STAKEHOLDER ENGAGEMENT

INITIAL ENGAGEMENT

The project invited 14 stakeholder organizations and two City of Saskatoon Advisory Committees to comment on the current bylaw and to submit considerations for a new bylaw. The engagement consisted of an initial meeting with each group to explain the goals and objectives as well as detailed explanations on the application and limitations of bylaws. Three organizations responded with detailed recommendations, seven had general comments; three had detailed comments pertaining to helmet use, and the rest declined to respond formally.

Organization	Response
Biketrix (e-bike manufacturer)	General comments
Canadian Paediatric Society (CPS)	Recommendation pertaining to helmets
City of Saskatoon Accessibility Advisory Committee	Asked to be informed only
City of Saskatoon Traffic Safety Committee (now dissolved)	Stressed need for conformity with TSA
Greater Saskatoon Catholic Schools (GSCS)	General comments
Meewasin Valley Authority (MVA)	General comments
Saskatchewan Cycling Association (SCA)	Asked to be informed only
Saskatchewan Government Insurance (SGI)	Stressed need for conformity with TSA
Saskatchewan Health Authority (SHA)	Detailed recommendations Recommendation pertaining to helmets
Saskatchewan Prevention Institute (SPI)	Recommendation pertaining to helmets
Saskatoon and District Safety Council (SDSC)	Stressed need for conformity with TSA
Saskatoon Council on Aging	Asked to be informed only
Saskatoon Cycles (SC)	Detailed recommendations
Saskatoon Public Schools (SPS)	General comments
Walking Saskatoon (WS)	Detailed recommendations

The following table lists recommendations from stakeholders and whether the changes were included in the proposed new bylaw.

	Recommended by	Included in proposed bylaw
OPERATION		
Remove requirement for people cycling to ride as close to curb as practicable	SC, SHA	Yes
Removed stunting prohibition	SC	Yes
Added hand signaling requirement		
Clarified the number of passengers allowed	SC	Yes
Clarified allowable loads	SC, SHA	Yes
BICYCLE EQUIPMENT		
Remove Bell Requirement	SC	No
SIDEWALKS		
Clarified Shared Use designation	SC, SHA	Yes
Added applicability to children under 14	SC, GSCS, SPS, SHA, WS	Yes
If the street has become hazardous, allow people to ride bikes on sidewalks at pedestrian speed	SC, SHA, WS	No
SHARED-USE PATHS		
Applied rules for park trails to all shared-use facilities	WS	Yes
If a cyclist might startle due to large load or narrow passing room, shall dismount.	WS	No
INTERSECTIONS		
Crosswalks, dismount or ride at pedestrian speed	WS	No
BRIDGES		
Removed requirement for people cycling to dismount	SHA	Yes
EXCLUSIVE BICYCLE LANES		
Removed requirement for people riding bicycles to use only exclusive bicycle lanes	SC, SHA	Yes
MOTORIST OVERTAKING A PERSON RIDING A BICYCLE		
Added one-meter passing rule for two-way, single-lane streets.	SC, SHA	Yes
HELMETS		
Mandatory helmets for youth	CPS	No
Mandatory helmet use for all	SPI, SDSC	No
Encourage the use of bike helmets	SHA, SC	Yes

ROUNDTABLE MEETING

The stakeholder engagement concluded with a roundtable meeting on September 26, 2019 with all stakeholders in addition to the Active Transportation Advisory Group (ATAG). The Administration presented the proposed bicycle bylaw. Most items were accepted unanimously except the items dealing with sidewalk riding and helmet use.

Participants:	Al Reichert – Saskatoon Safety Council Cora Janzen – Population and Public Health – Saskatchewan Health Authority Curt McCoshen – Bus Riders of Saskatoon Dwight Kirkpatrick – Saskatoon Public School Division Erin Akins – University of Saskatchewan Ingrid Larson – Saskatoon Cycles Jasmine Hasselback – Population and Public Health – Saskatoon – Saskatchewan Health Authority Jeananne Klein – Saskatoon Council on Aging Joel Lloyd – Greater Saskatoon Catholic Schools Kelly Klassen – SGI Sherry Faris – SaskAbilities Paula Lichtenwald – Tourism Saskatoon Tim Brown – Member of Public Tyler Rittinger – Saskatoon Public School Division Verna Gallen – Walking Saskatoon
City of Saskatoon:	Danae Balogun – Active Transportation Manager Carly Grassing – Transportation Engineer Jay Magus – Director of Transportation Marina Melchiorre – Senior Transportation Engineer Councillor Dubois Sharon Cybulski – Assistant to Director of Transportation (recorder)
Regrets:	Alan Otterbein – Meewasin Cara Zukewich – Saskatchewan Prevention Institute Dr. Karen Leis – Canadian Paediatric Society Wayne MacDonald – Saskatoon Cycles Councillor Loewen Jordan Sherbino – Policy and Communications Advisor, Office of the Mayor

1 Introductions

Danae welcomed everyone to the meeting. Meeting started at 3:03 pm. Roundtable introductions were done.

2 Bicycle Bylaw Overview

Marina reviewed the principles of the update and timelines regarding amendments to the bike bylaw. The bylaw encompasses behaviour for others as well as cyclists.

Administration will present the draft bike bylaw report at the Standing Policy Committee on Transportation on November 4, 2019 and at City Council on November 18, 2019. City Solicitor's Office will then review wording for the bylaw. It is anticipated the bylaw would be enacted in spring 2020 followed by education and enforcement campaigns.

Participants were invited to submit written questions to Marina by October 9 so they can be incorporated into the draft bike bylaw report before it goes to Standing Policy Committee on Transportation.

Power-assisted bicycles won't be discussed today. They are controlled federally.

3 Discussion of draft modifications to bike bylaws

Helmets

City will recommend helmet use for all cyclists and recommend provincial legislation for cyclists under 18 years of age.

Comments/feedback:

- Support for mandatory use of helmets. (Saskatoon Safety Council)
- Support for promoting helmet use and not mandating as it has risks, especially for people who can't afford helmet. (Population and Public Health – Saskatchewan Health Authority)
- Helmet requirements is a barrier for bike sharing programs. (University of Saskatchewan)
- Inquiry about any data on socio-economic concerns from other provinces. (Greater Saskatoon Catholic Schools) Administration will do further investigation on what other provinces are doing in terms of socio-economic concerns regarding helmet use.
- Some research studies regarding helmet use and reducing head injuries had research methodological errors. It was noted that controlling exposure to risk for the likelihood of injury (prevention) was more effective.

There was consensus on the recommendation regarding helmets.

Motorist Overtaking a Person Riding a Bicycle (1 meter rule)

Recommendation to add one-meter passing rule for two-way, single-lane streets.

Comments/feedback:

- One meter is not very far for a bus or truck. Air around these vehicles will create difficulty for a cyclist going down the street. Important to emphasize distance of at least one meter. (Saskatoon Safety Council)
- Important to communicate how long a meter is. One meter rule is also known as the three foot rule. (Tourism Saskatoon)
- Language regarding this is confusing and is subjective to interpretation. Language needs to be strengthened.

There was consensus on the concept.

Sidewalks

No person over the age of 14 shall ride on sidewalks. Can ride on sidewalks if designated as shared-use paths.

Comments/feedback:

- Suggest designating more places like Taylor Street. Need to make transitions from street to sidewalk level easier. (Bus Riders of Saskatoon)
- More sidewalks should be designated as shared use. More bike education is needed on how to ride on a sidewalk. (Saskatoon Cycles)
- Need to do an analysis of streets where riding on sidewalks is happening most frequently. People are more likely to ride on sidewalks where they feel safer.

- It was noted there is no safe place to ride on the following streets: 22nd Street, 8th Street, Idylwyld Drive and College Drive. Other high volume streets are 54th Street and Clarence Avenue. Snow clearance is an issue for winter cyclists. More work is needed.
- Pedestrian safety as it relates to cyclists riding on sidewalks is an issue, especially on shared paths. (Walking Saskatoon) Walking Saskatoon also noted a preference for cyclists to have separate facilities.
- It was noted there are sometimes more bikes on sidewalks than pedestrians.
- Size of sidewalks is concern; not all sidewalks can accommodate shared use.
- Education is needed regarding pedestrian courtesy on designated sidewalks.

There was consensus on the concept.

Shared-Use Paths

See wording on page 20 of the draft bylaw.

Comments/feedback:

- Don't use the shared pathway on Preston Avenue from 14th Street to College Drive because you don't get any indication that a bike is coming. (Saskatoon Council on Aging)
- Shared-use paths are not ideal. The best scenario would be for each stream to have their own path.
- Biggest risks on shared-use path is to the young and elderly. (Walking Saskatoon)
- Education about shared-use path becomes primary.
- University of Saskatchewan has a traffic bylaw that applies to their grounds. Important to work together with Meewasin, University and the City to ensure interpretation of what is considered a sidewalk and shared-use path is consistent. All paths at the university are shared-use path. (University of Saskatchewan)
- Need clarity on what is meant by moderate rate of speed (walking or jogging speed). Suggest putting definition in the bylaw. (Walking Saskatoon)
- Education is needed for everyone on shared-use paths. (Saskatoon Safety Council)
- Challenges encountered include cyclists not yelling or using bell when passing pedestrians and pedestrians with headphones/earbuds not hearing what is going on around them.

There was consensus on the concept.

Bridges

Bridge is considered a street.

Comments/feedback:

- Provide clarification on what is meant by river crossing so as not to include freeways.
- Inquiry if there should be one-way cycling traffic on bridge crossing. Currently not under consideration at this time.

There was consensus on the concept.

Cycle Tracks

Designated areas for cyclists only. Replaces exclusive bike lane in the bylaw.

They are adjacent to the driving lane on College Drive, Warman Road and Preston Avenue. People could be ticketed for parking in bike lanes.

Comments/feedback:

- Written feedback received from Saskatoon Safety Council.

There was consensus on the concept.

Operation

Follow the same rules in *The Traffic Safety Act*.

Comments/feedback:

- Inquiry about impairment. This is covered under *The Traffic Safety Act* as well as cell phone use.

There was consensus on the concept.

Bicycle Equipment

Comments/feedback:

- Requirement to have lights would be a barrier to low income people; lights are expensive and there is a risk they could be stolen.
- Keep red reflectors in the bylaw.

There was general consensus on the concept.

Freeways

No cycling on freeways. Update to include Circle Drive South.

Comments/feedback:

- Need to clearly identify prohibition for cycling on freeways.

There was general consensus on the concept.

Additional Comments

Appreciation was extended to participants for their feedback.

Participants were encouraged to forward written comments to Marina by October 9.

Participants are welcome to speak at the City Council meeting on November 18.

Saskatoon Safety Council representative appreciated the opportunity to provide input. Using roadways safely is a priority and the bike bylaw will help in that.

APPENDIX C: STAKEHOLDER CORRESPONDENCE



October 30th 2018

To the City of Saskatoon:

Although bicycling is an enjoyable activity and a popular mode of transportation, it is also a leading cause of injuries in Canadian children and youth. Head injuries in particular can cause life long consequences, and represent half of hospitalizations for bicycling injuries in children.ⁱ It has now been well documented in the medical literature that helmets have a protective effect on head and facial injuries.^{ii iii} Riders are more likely to wear helmets where mandatory bike helmet laws are in place, and injury rates are at least 25% lower compared to areas without legislation.^{iv}

Concerns around helmet legislation have centered on a few issues. Firstly, the question of decreased ridership has been examined and most Canadian studies show that mandatory helmets have no effect on bicycling rates.^v Secondly, it appears that legislation will increase helmet use substantially even without enforcement, however for this effect to be maintained long term, some level of moderate enforcement is needed.^{vi} Finally, accessibility of helmets is of primary importance, and subsidy programs and/or rebates for lower income riders have been implemented elsewhere successfully.^{vii} Given that citizens experiencing poverty have an increased risk of preventable injuries^{viii}, helmet legislation coupled with measures to make helmets more available and affordable, would be an effective strategy to improve the health of this vulnerable sector of our city.

The Canadian Paediatric Society (CPS) recommends that all jurisdictions in Canada legislate and enforce bicycle helmet use for all ages.^{ix} Unfortunately, the province of Saskatchewan has lagged behind and is one of only two provinces that scores poorly with respect to helmet legislation, in the CPS status report on Canadian public policy and child and youth health.^x Other recommendations include rolling out legislation with an education campaign on the importance of helmet use, incorporating other strategies to prevent bicycling injuries such as separation of riders from motor traffic, and implementing programs to make bike helmets less expensive.

The cities of Moose Jaw and North Battleford have already implemented mandatory bike helmets for youth. The city of Saskatoon now has an opportunity to also show leadership in this area, and improve the safety of all its riders, by making use of bicycle helmets mandatory for all ages.

Sincerely,

Dr. Karen Leis
General Pediatrician, Saskatoon
Canadian Paediatric Society Board Member

ⁱ Hu X, Wesson DE, Chipman ML, Parkin PC. Bicycling exposure and severe injuries in school-age children: A population-based study. *Arch Pediatr Adolesc Med* 1995;149(4):437-41.

ⁱⁱ Thompson DC, Rivara FP, Thompson R. Helmets for preventing head and facial injuries in bicyclists. *Cochrane Database Syst Rev* 2000;(2):CD001855.

ⁱⁱⁱ Elvik R. Publication bias and time-trend bias in meta-analysis of bicycle helmet efficacy: A re-analysis of Attewell, Glase and McFadden, 2001. *Accid Anal Prev* 2011;43(3):1245-51.

^{iv} Macpherson A, Spinks A. Bicycle helmet legislation for the uptake of helmet use and prevention of head injuries. *Cochrane Database of Systematic Reviews* 2007, Issue 2. DOI: 0.1002/14651858.CD005401.pub2.

^v Dennis J, Potter B, Ramsay T, Zarychanski R. The effects of provincial bicycle helmet legislation on helmet use and bicycle ridership in Canada. *Inj Prev* 2010;16(4):219-24.

^{vi} LeBlanc JC, Beattie TL, Culligan C. Effect of legislation on the use of bicycle helmets. *CMAJ* 2002;166(5):592-5.

^{vii} "Low Cost Bike Helmet Program Extended", *Winnipeg Sun*, May 30th, 2012, <https://winnipegsun.com/2012/05/30/low-cost-bike-helmet-program-coming/wcm/9e6b6d8c-bc13-4c78-a511-33d4b59631d2>

^{viii} Yanchar NL, Warda LJ, Fuselli P; Canadian Paediatric Society, Injury Prevention Committee. Child and youth injury prevention: A public health approach. *Paediatr Child Health* 2012;17(9):511.

^{ix} Hagel BE, Yanchar NL; Canadian Paediatric Society, Injury Prevention Committee. Bicycle helmet use in Canada: The need for legislation to reduce the risk of head injury. *Paediatr Child Health* 2013;18(9):475-80.

^x Canadian Paediatric Society, 2012. Are We Doing Enough? A status report on Canadian public policy and child and youth health.

Bicycle helmet use in Canada: The need for legislation to reduce the risk of head injury

Brent E Hagel, Natalie L Yanchar; Canadian Paediatric Society
, Injury Prevention Committee
Paediatr Child Health 2013;18(9):475-80
Posted: Nov 1 2013

Abstract

Bicycling is a popular activity and a healthy, environmentally friendly form of transportation. However, it is also a leading cause of sport and recreational injury in children and adolescents. Head injuries are among the most severe injuries sustained while bicycling, justifying the implementation of bicycle helmet legislation by many provinces. There is evidence that bicycle helmet legislation increases helmet use and reduces head injury risk. Evidence for unintended consequences of helmet legislation, such as reduced bicycling and greater risk-taking, is weak and conflicting. Both research evidence to date and recognition of the substantial impact of traumatic brain injuries support the recommendation for all-ages bicycle helmet legislation.

Key Words: Bicycle helmet; Head injuries; Legislation

Bicycling is a popular activity and form of transportation in Canada for children, adolescents and adults. The percentage of children that have ridden a bicycle at least once in the past 12 months is 91% for children five to 12 years of age and 77% for youth 13 to 17 years of age.^[1] While the physical activity associated with riding a bicycle can have significant health benefits, injuries can and do occur.

Bicycling injuries

Bicycling-related injuries among Canadian children and youth account for approximately 4% of all injuries encountered in the emergency department (ED),^{[2][3]} 7% of all hospital admissions for unintentional injury for

those younger than 15 years of age,^[4] and are the fifth-leading cause of child and youth hospitalization (2079 in 2001/2002).^[5] In terms of mortality, they comprise 5% of all deaths due to unintentional injury for children younger than 15 years of age in Canada.^[4] Between 30%^[6] and 53% of bicycling fatalities occur in children and youth, with most resulting from collisions with motor vehicles.^[7]

There are large variations in population-based rates of bicycling-related injuries due to several factors. Adolescents, particularly males, have the highest rates of bicycling-related injuries involving motor vehicle collisions, ranging from 28 to 56 per 100,000 population.^{[8][9]} Rates of hospitalization for children and youth range from 33.9 injuries per 100,000 in urban areas to 50 injuries per 100,000 in rural areas.^[10] Overall death rates in Canada are estimated to be 0.27 per 100,000 population.^[6]

Bicycling-related head injuries

Head injuries rank among the most severe injuries in bicyclists, representing 20% to 40% of all bicycling injuries encountered in Canadian EDs.^{[2][3][11]-[14]} Considering only hospital admissions, head injuries represent approximately one-half of all bicycling injuries in children and youth.^{[11][15]} Ultimately, head injuries account for 45% to 100% of child and youth bicycling deaths.^{[16]-[20]} Therefore, head injuries represent the most severe injuries that occur among child and youth bicyclists and, as such, are an important target for injury prevention.

Helmet use and head injury risk

Two systematic reviews have demonstrated that helmets reduce the risk of head injuries while cycling.

[21][22] In one Cochrane review, helmets were estimated to reduce the risk of head and brain injuries by 69%, severe brain injuries by 74% and facial injuries by 65%, with similar effects for cyclists in collisions with motor vehicles and across all age groups.^[22] Another study^[21] found that helmets reduced head injury risk by 60%, brain injury risk by 58%, facial injuries by 47% and fatal injury by 73%. The latter study did note an indication of greater risk of neck injuries among helmet users (OR 1.36 [95% CI 1.0 to 1.86]), which "...may not be applicable to the lighter helmets currently in use".^[21] Investigators concluded that their results were "applicable to riders of all ages, both in less severe crashes, and in collisions with motor vehicles."^[21] A reanalysis of this study in 2011, which included more recent studies and adjustment for potential sources of bias, confirmed the protective effect of helmets on head injuries and facial injuries, although the effects were attenuated.^[23]

Helmet legislation and helmet use

Systematic reviews have also demonstrated that legislation increases the use of helmets in children and youth.^{[24][25]} One review showed that bicycle helmet use increased postlegislation, with more than one-half of the included studies demonstrating an increase of at least 30%.^[24] The odds of helmet use more than quadrupled with legislation, and this effect was consistent for areas with legislation for riders younger than 16 years of age and in areas where all-ages legislation was in place.^[24] Similarly, a Cochrane systematic review of child and youth bicycle helmet legislation found a significant increase in helmet use

both postlegislation and with enforcement of existing legislation.^[25]

Many of the studies examining the association between helmet use and bicycle helmet legislation in Canada have found increases in the postlaw period (Table 1). One Ontario study noted a 20% increase in helmet use among children five to 14 years of age two years after passage of helmet legislation covering riders younger than 18 years of age, demonstrating larger increases in low- and middle-income areas.^[26] A follow-up study found that helmet prevalence fell to prelegislation levels for low- and middle-income areas while remaining elevated in high-income areas six years postlegislation.^[27] After the introduction of all-ages bicycle helmet legislation in 1996 in British Columbia, helmet use increased 18% among children younger than six years of age and 26% among riders six to 15 years of age.^[28] Another study found that helmet use increased 35% among children, 41% among adolescents and 50% among adults after all-ages legislation passed in Nova Scotia.^[29] Helmet use increased from 72% to 95% among children younger than 13 years of age and more than doubled among adolescents after helmet legislation covering riders younger than 18 years of age came into effect in Alberta.^[30] Based on national Canadian Community Health Survey self-report data, a recent study has found the likelihood of helmet use to be greatest in provinces with all-ages legislation, followed by regions with laws covering riders younger than 18 years of age, and lowest where there is no helmet legislation; these trends were evident for both adolescents and adults.^[31]

TABLE 1
Changes in helmet use following the implementation of bicycle helmet legislation in Canada

Author [reference], year	Age group covered	Year implemented	User prevalence		Postlaw increase
			Prelegislation	Postlegislation	
Parkin et al [26], 2003	<18 years of age	1995	5–14 years of age: LI: 33% in 1995 MI: 50% in 1995 HI: 73% in 1995 Total: 46% in 1995	5–14 years of age: LI: 61% in 1996 MI: 79% in 1996 HI: 77% in 1996 Total: 66% in 1997	5–14 years of age: LI: 28% MI: 29% HI: 4% Total: 20% (1997)
Macpherson et al [27], 2006	<18 years of age	1995	5–14 years of age: LI: 33% in 1995 MI: 50% in 1995 HI: 73.1% in 1995	5–14 years of age: LI: 33% in 2001 MI: 50.4% in 2001 HI: 84.5% in 2001	5–14 years of age: LI: 0% MI: 0.4% HI: 11.4%
Foss and Beirness [28], 2000	All ages	1996	1–5 years of age: 60% in 1995	1–5 years of age: 78% in 1999	1–5 years of age: 18%
			6–15 years of age: 35% in 1995	6–15 years of age: 61% in 1999	6–15 years of age: 26%
			16–30 years of age: 47% in 1995	16–30 years of age: 69% in 1999	16–30 years of age: 22%
LeBlanc et al [29], 2002	All ages	1997	Child: 49% in 1995/1996	Child: 84% in 1998/1999	Child: 35%
			Adolescent: 29% in 1995/1996	Adolescent: 70% in 1998/1999	Adolescent: 41%
Karkhanavich et al [30], 2011	<18 years of age	2002	<13 years of age: 72% in 2000	<13 years of age: 95% in 2006	<13 years of age: 23%
			13–17 years of age: 30% in 2000	13–17 years of age: 63% in 2006	13–17 years of age: 33%

LI Low income; HI High income; MI Middle income

Helmet legislation and head injuries

Of the three studies included in a systematic review examining changes in head injury risk pre- and postlegislation, two indicated a statistically significant reduction in risk and one a nonstatistically significant reduction in risk.^[25] A Canadian study compared time trends in head injury rates among children and adolescents five to 19 years of age between provinces

that had introduced legislation with those that had not.^[32] While their head injury rates were similar before legislation (approximately 18 per 100,000 population), these rates fell by 45% in provinces that introduced helmet legislation compared with only 27% in provinces that did not.^[32] An Australian study investigating the long-term effects of all-ages bicycle helmet legislation on head and arm injuries in riders younger than 16 years of age^[33] found a decline in

rates of hospitalization for bicycle- versus motor vehicle-related head injuries in children postlegislation (3.1% per year), with no evidence of a decline in arm injury hospitalizations. The rate of non-motor vehicle-related child cyclist head injuries was estimated to decrease as well (1.2% per year), a result that was not statistically significant.

Two recently published studies reported different conclusions regarding the association between helmet legislation and head injuries. One compared the population-based rate and proportion of ED and hospitalized head injuries for bicyclists and pedestrians three years before, and four years after, bicycle helmet legislation in Alberta.^[34] They found significant declines in the proportion of children younger than 13 years of age seen in the ED, and of adolescents (13 to 17 years of age) and adults (≥ 18 years of age) hospitalized for head injuries, with no declines in the proportion of head injuries for a control group of pedestrians. Another study examined hospitalizations for bicycle-related head injuries Canada-wide from 1994 to 2008.^[35] Comparing the population-based rate and proportion of head injuries in Canadian provinces that did or did not implement helmet legislation, they were unable to demonstrate a significant association between legislation alone (all ages or children only) and a decline in head injuries, with rates of helmet use and head injuries generally declining in all jurisdiction regardless of legislation status.

Importantly, none of the studies evaluating the effect of bicycle helmet legislation identify whether a helmet was being worn by injured bicyclists. Because it is largely unknown whether cases sustaining head injuries wore a helmet, these studies are weaker than other case-control studies that have firmly established bicycle helmet effectiveness. Also, studies that simply compare jurisdictions with and without helmet legislation are probably affected by other factors associated with helmet legislation, such as educational programs or incentives. Certainly the strongest evaluation of the effect of helmet legislation is whether it affects helmet-use prevalence, with the downstream effect being a reduction in the number and severity of head injuries manifesting from greater helmet use.

Helmet use and risk compensation

Debate continues on the general topic of risk compensation (ie, risk homeostasis) in relation to bicycle helmet use.^{[36][37]} The theory suggests that everyone has a target level of risk. Its proponents argue that if an individual's environment is altered to

increase safety, they will respond by acting more dangerously to meet their own target level of risk.^[38] However, the theory also suggests that people often take risks to optimize benefits (eg, gaining time by speeding).^[39] The evidence for risk compensation and bicycle helmet use among children is mixed. In some studies, parents report they would allow children wearing safety gear, including a helmet, to take more risks.^{[40][41]} Other studies measuring risk tolerance in children suggest a greater willingness to take risks when using safety gear while bicycling.^[42] Still others have found no relationship between safety gear use and risk tolerance.^[40]

A crossover trial of an obstacle course comparing conditions involving safety gear and no safety gear found that "children went more quickly and behaved more recklessly when wearing safety gear than when not wearing gear, providing evidence of risk compensation".^[43] Adult-based studies have been conflicting, showing that helmeted cyclists tend to be more cautious^[44] or less cautious^[45] than nonhelmeted cyclists.

One ED-based study found no evidence of a relationship between use of safety equipment and reported bicycling behaviour (cycling fast, taking chances) or injury severity among children injured in a variety of activities, including bicycling.^[46] Another found that helmeted bicyclists experienced less severe nonhead and non-neck injuries.^[47] Injury outcome-based studies involving all age groups have found that helmeted bicyclists experienced more frequent and severe nonhead injuries compared with nonhelmeted bicyclists.^[48] However, one European study found no relationship between bicyclist commission of a traffic violation and helmet use.^[49] The issue of risk compensation remains unresolved.^[23]

Helmet use and ridership

A number of reports and studies have examined the argument that helmet legislation may reduce ridership among children and adolescents, thereby contributing to problems associated with decreased physical activity. One Australian study indicated a decline in bicycling associated with helmet legislation implemented in 1990 in all age groups. However, the rates for adults approached prelaw levels after two years, while the decline for children reflected a pre-existing downward trend. The rate for adolescents remained below prelaw levels two years postlegislation.^[50] Another study noted small but statistically significant declines in youth cycling after

legislation in various states in the United States, based on parent- and youth-reported bicycling behaviour.^[51] However, an observational Ontario study found no evidence of a decline in cycling activity among children five to 14 years of age after introduction of bicycle helmet legislation.^[52] While there was significant year-to-year variability in the rate of bicycling at different locations, none could be attributed to the adoption of bicycle helmet legislation. A follow-up study showed the same rate of bicycling prelegislation and six years postlegislation.^[27] Similarly, Canadian survey data indicate no evidence of a decline in adolescent bicycling in relation to bicycle helmet legislation.^[31] A decline in the number of observed child and adult – but not adolescent – bicyclists associated with helmet legislation was observed in one Alberta study.^[53] This inconsistent effect across age groups suggests that other factors aside from the helmet law may be responsible for changes in bicycling.

A related issue is whether all-ages bicycle helmet legislation would negatively influence the implementation of urban community, low-cost bicycle rental or bikeshare programs. Increasing bicycle use is desirable from an individual and societal perspective. However, not having easy access to a helmet may be a deterrent to renting a bicycle for short trips in urban areas, especially where helmet use is mandatory. Investigators in Canada and the United States have shown that the prevalence of helmet use was lower among users of a bikeshare program relative to those using personal bicycles.^{[54][55]} However, some bikeshare rental companies offer helmet dispensing stations (<http://sandvault.com/sandvault-announces-helmetstation/>). Their effect on helmet use is not yet known.

In summary, the evidence of a reduction in bicycling among children and adolescents following helmet legislation is mixed, and few studies have adequately accounted for existing bicycling trends independent of a helmet law. While some individuals may avoid bicycling due to helmet legislation, it would need to be shown that they do not replace it with other physical activities for helmet legislation to be considered to have a negative effect on overall health.

Helmet use and enforcement

One single county-based study conducted in the United States noted a change in helmet prevalence of 43% after helmet legislation, a substantial increase that occurred with almost no enforcement.^[56] However, another study found that negligible helmet use in a

rural Georgia community with helmet legislation covering young riders increased significantly after a combined helmet promotion, giveaway and enforcement program.^[57] Systematic review of the effect of bicycle helmet legislation has suggested significant increases in helmet use even with limited enforcement.^[24] Canadian studies appear to support this,^[30] reporting high postlegislation bicycle helmet use rates with moderate enforcement activities.^[29] One Ontario study showed that negligible enforcement (in terms of citations) may have contributed to bicycle helmet use returning to prelegislation levels for low- and middle-income children and youth six years after the helmet law came into effect, while remaining above prelegislation levels for children in high-income areas.^[27] Therefore, available evidence suggests that bicycle helmet legislation can increase use even without significant enforcement, at least for a few years after implementation. This finding speaks volumes for the ‘education effect’, although the sustained effectiveness of bicycle helmet legislation likely requires ongoing promotion and enforcement.

Helmet use and nonlegislated interventions

There is growing evidence that a multifaceted approach to behaviour change is more successful than isolated interventions. Several studies have demonstrated the efficacy of nonlegislated interventions in increasing bicycle helmet use among children.^[58] However, the effect of social marketing in increasing helmet use among teens and adults has not been clearly established. Also, the effects of nonlegislated interventions alongside legislation are not fully understood, but it is likely that combined synergies between two approaches would be more successful than either one by itself. Alongside education and policy implementation would be environment- or engineering-based injury prevention efforts,^{[59][60]} and public health strategies such as sales tax rebates and children’s tax credits for the purchase of protective helmets.^{[61][62]} Although this statement focuses on the promotion of bicycle helmet use to reduce injuries through legislative interventions, the importance of a multifaceted approach, concurrent with education and enforcement, cannot be underestimated.

Recommendations for policy

There is strong evidence that bicycle helmet legislation increases bicycle helmet use. There is also ample research indicating that legislation reduces risk of bicycle-related head injury. Evidence of the potential

negative effects of bicycle helmet legislation, such as reduced bicycling, is mixed, and a direct cause-and-effect relationship has not been demonstrated. Based on current evidence, bicycle helmet legislation is recommended to both increase helmet use and reduce head injury risk for children and adolescents. While legislation has positive effects on helmet use, these are further compounded by enforcement and education. All of these policies, however, should be implemented in context with wider road safety initiatives such as traffic calming and the separation of cyclists from motor vehicles.

Legislation that requires all bicyclists to wear helmets – regardless of age – has a number of potential benefits. All cyclists are at risk for head injury, and the protective effect of bicycle helmets has been well established for every age group.^[63] In addition, children are far more likely to use helmets in the presence of adults wearing helmets.^[64] Legislation that is Canada-wide in scope and effects is preferable to an age/location restrictions or another segmented approach. [Table 2](#) lists current Canadian provincial/territorial bicycle helmet legislation status along with CPS recommendations from its status report, ‘[Are We Doing Enough?](#)’^[65]

TABLE 2 The status of bicycle helmet legislation in all provinces/territories, with Canadian Paediatric Society (CPS) recommendations*			
Province/Territory	2011 status†	Recommended actions	
British Columbia	Excellent	Meets all CPS recommendations	
Alberta	Good	Amend current legislation to include all age groups	
Saskatchewan	Poor	Enact legislation that requires all age groups to wear helmets. Some education programs are available	
Manitoba	Good**	Amend current legislation to include all age groups	
Ontario	Good	Amend current legislation to include all age groups	
Quebec	Poor	Enact legislation that requires all age groups to wear helmets. Some education programs are available	
New Brunswick	Excellent	Meets all CPS recommendations	
Nova Scotia	Excellent	Meets all CPS recommendations	
Prince Edward Island	Excellent	Meets all CPS recommendations	
Newfoundland and Labrador	Poor	Enact legislation that requires all age groups to wear helmets	
Yukon	Poor	Enact legislation that requires all age groups to wear helmets	
Northwest Territories	Poor	Enact legislation that requires all age groups to wear helmets	
Nunavut	Poor	Enact legislation that requires all age groups to wear helmets	
*Adapted from reference [65]. †Excellent: Province/territory has legislation requiring all cyclists to wear helmets, with financial penalties for noncompliance. Parents are responsible for ensuring their child wears a helmet; Good: Province/territory has legislation requiring all cyclists younger than 18 years of age to wear a helmet; Poor: Province/territory has no legislation on bike helmets **Legislation effective May 2013			

Recommendations

Based on current evidence and the importance of preventing head injuries in children and youth, the

CPS makes the following recommendations:

- All jurisdictions in Canada should legislate and enforce bicycle helmet use for all ages.
- Legislation should be rolled out using social marketing and education to raise awareness of bicycle helmet efficacy, accessibility and importance.
- Other strategies to prevent bicycling injuries, such as separating riders from motor traffic with bicycle lanes, pathways for commuting and recreational cycling, and community safety programs should be implemented concurrently.
- Physicians should counsel families about the importance of wearing bicycle helmets. Where all-ages legislation does not exist, parents should wear a bicycle helmet to model good behaviour and protect themselves.
- Sales tax exemptions or rebates and federal tax credits to make the purchase of bicycle helmets less expensive should be adopted.

Future research should explore both the intended and potential unintended effects of bicycle helmet legislation, with focus on:

- Long-term follow-up to assess the effects of bicycle helmet legislation on compliance, prevalence and head injury rates, with appropriate control for trends in other traffic safety initiatives.
- How enforcement activities influence helmet compliance and prevalence.
- The level of bicycling activity after implementation of helmet legislation, with appropriate control for independent and pre-existing trends in bicycling.

Acknowledgements

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CPS INJURY PREVENTION COMMITTEE

Members: Suzanne Beno MD; Claude Cyr MD; Brent E Hagel PhD; I Barry Pless MD (past member); Jeffrey W Scott MD; Natalie L Yanchar MD (Chair); Mitchell Zelman MD (Board Representative)

Liaisons: Dominic Allain MD, CPS Paediatric Emergency Medicine Section; Pamela Fuselli, Parachute – Leaders in Injury Prevention; Robin Skinner, Public Health Agency of Canada

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City of Saskatoon Bicycle Bylaw Review Response

Submitted by Population and Public
Health, Saskatoon and Area

June 2018

Bylaw Section	Issue	Evidence, data, rationale	Suggested recommendation
#3	One-metre passing rule	COS proposed no potential bylaw modification	Even though it is addressed in the Traffic Safety Act, it would be useful to include the wording with the municipal bylaw to reinforce
#6	Horn or bell	COS potential modification: A person riding a bicycle on a sidewalk designated as a "Shared Pathway", multi-use pathway, or park trail shall: a) operate the bicycle to the right of center of any such sidewalk, trail, or path: and b) alert anyone about to be overtaken by sounding a horn or a bell a reasonable amount of time before overtaking.	We are supportive of the COS potential modification
#8	Riding on sidewalks and Saskatoon Cycles recommendation		We support Saskatoon Cycles' recommendation; potentially designate sidewalks along certain arterials* as shared use pathways *when no protected/separate-from-traffic cycling facilities are provided and there is higher risk to ride in the traffic lane due to traffic volumes and/or speed
#8	Position on street: "...positioned thereon to be as close as reasonably possible to the right hand curb..." <ul style="list-style-type: none"> Current wording encourages people who are cycling to move in and out of sight/between parked cars This makes the rider unpredictable and diminishes visibility 	In regard to the COS potential modification: "A person riding a bicycle shall utilize only that portion of the street as is intended for the passage of motor vehicles, except that cyclists may ride in an unmarked parking lane." We were not clear on the difference (or necessity of) between marked or unmarked parking lanes. The wording (highlight) is awkward; the word 'passage' may lead to some ambiguity.	Suggested wording: "A person riding a bicycle shall utilize the travel lanes, except that cyclists may ride in a parking lane." *can add motor vehicle travel lanes if you feel it is necessary to the above suggested wording
#9	Two abreast	Can you ride two abreast or not? Wording is ambiguous and meaning unclear (we interpreted the current wording to indicate circumstances of if there is a third rider and not specifically addressing if people can ride two abreast or not)	Clarify wording to identify that you can actually ride two abreast; also make it clear you cannot go more than two abreast

#12	Loads	COS potential modification: “No person riding a bicycle shall carry any package, bundle or article which prevents the rider from keeping at least one hand on the handlebars or interferes with the normal operation of the bicycle.”	We are supportive of the COS potential modification.
#13	Bicycle Lanes	In regards to only permitted <i>“to depart from the exclusive bicycle lane when approaching an intersection...”</i> – what about if accessing a mid-block driveway that is on the opposite side of street and it makes most sense for person cycling to travel in the vehicle lane to make the left turn (as a car would) to access the mid-block driveway? COS – repeal section 13	We are supportive of repealing section 13
#17	Operating on left prohibited		Potentially modify wording to be easier to read and to similar to the wording in the horn section (see #6 above)
#18	Passing and overtaking		Incorporate similar wording in regards to the horn as to the Horn or Bell section (#6 above)
#19	Rate of speed	The current bylaw wording only includes in a park	Expand to include ‘sidewalk designated as a “Shared Pathway”, multi-use pathway, or park trail’
#21 (c)	<i>“Dismount and walk bicycle when passing a pedestrian proceeding in the same direction upon such sidewalk”</i>	Impractical, especially when going up the bridge at an incline COS – repeal this section and designate as shared use pathway	We are supportive of repealing this section and designating as shared use pathway
	Distracted riding	Is this covered by the Traffic Safety Act with distracted driving?	Possibly include something to address this in the municipal bylaw
	Helmet bylaw recommendation	<i>Evidence review & policy analysis will be provided mid-August</i>	



August 29, 2018

To City of Saskatoon Administration:

Through the Bicycle Bylaw update process, it was requested that Population and Public Health (PPH), Saskatoon, provide their perspective on a recommendation regarding a bicycle helmet bylaw.

In 2016, the Saskatoon Health Region (SHR) released the Unintentional Injury Report which included the Chief Medical Health Officer's recommendation of: "Encourage the use of bicycle helmets within Saskatoon Health Region". Given the request from the City and the policy window, PPH decided to review the evidence (literature and local data) regarding helmet legislation/bylaw as a population level intervention once again to see if the recommendation should change.

The process we undertook included an evidence review of investigating the research literature as well as our local hospitalization data for motor vehicles, pedestrians and bicycling injuries. The final step was a policy analysis on the dimensions of effectiveness, unintended effects, equity, cost, feasibility and acceptability.

Through this evidence review process and based on:

- inconsistent (and/or tenuous because of methodological flaws of earlier research) evidence of helmet legislation having a strong impact at a population level;
- the local data in terms of bicycling injury hospitalization data (numbers, rate, exposure-based risk rate, TBI contribution) is not indicating that bicycling-related injuries are the highest concern;
- the overall policy analysis of a helmet bylaw (in terms of effectiveness, unintended effects, equity, cost, feasibility and acceptability), which illuminated risks and drawbacks that could negatively impact health equity, health outcomes and progress on creating safe environments for all modes of transportation;

It is the recommendation of Population and Public Health, Saskatoon that:

1. the Chief Medical Health Officer recommendation in the Saskatoon Health Region Unintentional Injury Report (2016) remain unchanged "Encourage the use of bicycle helmets within Saskatoon";
2. the City of Saskatoon does not proceed with a bicycle helmet bylaw.

For the summary policy analysis for each of the dimensions, please refer to the report included with this letter.

On behalf of the Medical Health Officers and our practitioners involved in this work, we encourage the City and other stakeholders to promote bicycle helmet use, other than through bylaws, as well as continue to improve the safety of the infrastructure to address the root causes of collisions, bicycle injury and improving the safety for all modes.

Sincerely,

Cordell Neudorf
B.Sc., M.D., M.H.Sc., FRCPC
Lead Medical Health Officer

Policy Analysis of Bicycle Helmet Bylaw/Legislation – Population and Public Health, Saskatoon

Introduction

The City of Saskatoon is updating their Bicycle Bylaw and engaged Population and Public Health (PPH), Saskatoon as a stakeholder. Through the process, they requested PPH, Saskatoon to make a recommendation regarding a bicycle helmet bylaw.

In 2016, the Saskatoon Health Region (SHR) released the [Unintentional Injury Report](#) which included the Chief Medical Health Officer's recommendation of: "Encourage the use of bicycle helmets within Saskatoon Health Region". Given the request and the policy window, PPH decided to review the evidence (literature and local data) once again to see if the recommendation should change.

A review of the literature was completed as well as analysis of SHR and Saskatoon data regarding hospitalization numbers, hospitalization rates, exposure-based risk rates, body part analysis and a traumatic brain injury (TBI) contribution from all head and neck injuries.

For the analysis of the data, the modes of motor vehicles, bicycling and pedestrians were the focus, not including recreational (e.g., off-road). Playground injury data was included as a comparison as this is a common injury mechanism for children.

The final step of the analysis process, included using the National Collaborating Centre of Health Public Policy's [framework for analyzing policy](#) to analyze six dimensions (effectiveness, unintended effects, equity, cost, feasibility and acceptability) in regards to the potential policy recommendation. The ratings were subjective from each practitioner based on their review of the evidence, perspectives and knowledge and ranged from +++ to --- (+ meaning favourable; - meaning unfavourable).

Local Data

i.e., Saskatoon and/or Saskatoon Health Region (SHR) for local context for evidence-informed decision making

Table 1: SHR Hospitalization Transportation Mode & Playground Injury 2004/05-2014/15

		2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	Avg per year
Number of hospitalization	Pedestrians	25	26	37	32	30	29	25	36	32	24	28	29
	Bicycle	31	32	21	24	18	19	13	28	26	24	29	24
	Motorcycle	24	12	22	20	27	24	37	25	25	28	13	23
	MVC	122	116	106	154	142	121	123	124	113	110	97	121
	Off-Road	16	15	22	17	30	31	15	32	27	34	31	25
	Other	51	48	34	55	35	38	26	25	26	26	18	35
	Playground	25	19	25	29	25	27	21	21	28	29	34	26
	Population	287,296	289,495	285,618	291,110	298,371	300,638	318,503	318,102	323,938	336,403	346,363	
Hospitalization rates	Pedestrians	8.7	9.0	12.9	11.0	10.1	9.6	7.8	11.3	9.9	7.1	7.9	9.5
	Bicycle	10.9	11.1	7.4	8.2	6.0	6.3	4.1	8.8	8.0	7.1	8.4	7.8
	Motorcycle	8.2	4.1	7.7	6.8	9.0	8.0	11.6	7.9	7.7	8.2	3.8	7.5
	MVC	42.4	40.2	37.2	52.8	47.7	40.1	38.6	38.9	34.8	32.8	27.9	39.1
	Off-Road	5.5	5.3	7.8	5.8	10.1	10.3	4.7	10.0	8.3	10.2	8.9	8.0
	Other	17.8	16.7	11.7	18.7	11.7	12.7	8.2	7.9	8.0	7.6	5.2	11.2
	Playground	8.7	6.7	8.8	10.0	8.4	9.0	6.6	6.6	8.5	8.6	9.8	8.3

MVC = motor vehicle collisions

- Highest hospitalization rates for transportation are seen for motor vehicle collisions at an average of 39.1 per 100,000 population (Table 1). Bicycling-related hospitalization rate is second lowest across the six transportation mode categories
- For Saskatoon residents, there are about 22 bicycling-related hospitalizations per year, 22 pedestrian-related and 67 motor-vehicle-related hospitalizations (data not shown)

Table 2: Saskatoon Exposure-Based Hospitalization Injury Rates, 2013

Saskatoon	Percent of all trips	Annual number of trips	Annual number of trips by mode	Average trip distance (km)	Annual distance travelled	Annual hospitalization Saskatoon	Hospitalization per 100 million km	Teschke article
MVC	82	288,602,000	236,653,640	5.75	1,360,758,430	67	4.9	72
Pedestrians	4	288,602,000	11,544,080	1.5	17,316,120	22	127.0	196
Bicyclists	4	288,602,000	11,544,080	3.4	39,249,872	22	56.1	264

Source: City of Saskatoon Household Travel Survey, 2013

- In order to more accurately represent injury risk by transportation mode, we undertook exposure-based analysis to assess the degree of risk for traveling by motor vehicles, bicycling, and walking. These rates are represented on a per 100 million kilometre basis.
- For the City of Saskatoon, exposure-based hospitalization rates for MVC were the lowest (4.9), bicycling followed (56.1) and pedestrian rates were the highest (127.0; Table 3).
- Bicycling has a hospitalization risk rate 11x higher than for MVC; walking has 2.3x higher hospitalization risk rate than bicycling; and walking has 26x higher risk rate than MVC.
- Note: Teschke et al (2013) was the first study to use a exposure-based analysis rather than only an absolute burden or a population-based rate of injury. The numbers from their study are included for information purposes.

Table 3: SHR Body Part Analysis 2004/05-2014/15 Combined By Transportation Mode & Playground Injury

Body part analysis		Lower Extremities	Torso	Upper Extremities	Spinal Cord/Vertebra	All head and neck	Unclassified Multiple Sites	Total	TBI contribution to head and neck	Potential Number of TBI per year
	Pedestrians	49.0%	15.2%	10.2%	4.0%	19.8%	1.9%	100.0%	17.9%	5
	Bicycle	29.0%	15.1%	30.3%	2.3%	22.6%	0.8%	100.0%	18.5%	4
	Motorcycle	44.6%	17.6%	20.2%	5.9%	10.6%	1.2%	100.0%	8.6%	2
	MVC	23.3%	28.3%	10.4%	11.9%	24.0%	2.0%	99.9%	19.4%	23
	Off-Road	28.1%	21.1%	23.2%	8.3%	18.5%	0.7%	100.0%	14.1%	4
	Other	33.8%	23.3%	17.9%	13.0%	11.8%	0.3%	100.0%		N/A
	Playground	8.5%	0.7%	83.0%	2.1%	5.3%	0.4%	100.0%	4.2%	1

TBI = Traumatic Brain Injury

- Of the 24 bicycle related hospitalizations per year in SHR, roughly 5 per year (22.6%) were for all head and neck injuries. Of these, roughly 4 were Traumatic Brain Injuries (TBI; Table 3) and it is unknown what proportion of these involved helmet non-use
- In Saskatoon, of the 22 bicycle-related hospitalizations per year, roughly 5 (22.5%) were head and neck injuries. Roughly 4 per year were TBI's and it is unknown what proportion of these involved helmet non-use (data not shown)

- Most playground injuries are to the upper extremities (very few head and neck), suggesting that children are more susceptible to head injuries when transporting either by motor vehicle, walking or bicycling than when using playground equipment.

Table 4: Saskatoon Exposure-Based Traumatic Brain Injury Rate, 2013

Saskatoon	Percent of all trips	Annual number of trips	Annual number of trips by mode	Average trip distance (km)	Annual distance travelled	Annual TBI hospitalization Saskatoon	Hospitalization TBI per 100 million km
Motor Vehicle	82	288,602,000	236,653,640	5.75	1,360,758,430	13	1.0
Pedestrians	4	288,602,000	11,544,080	1.5	17,316,120	4	23.1
Bicyclists	4	288,602,000	11,544,080	3.4	39,249,872	4	10.2

- For the City of Saskatoon, exposure-based TBI hospitalization rates for MVC were the lowest (1.0), bicycling followed (10.2) and pedestrian rates were the highest (23.1; Table 4).
- Bicycling has a TBI hospitalization risk rate 10X higher than for MVC; walking has 2.3X higher hospitalization risk rate than bicycling; and walking has 23X higher risk rate than MVC.

Table 5: Summary of data

Data not previously shared above but included if any provincial context is needed (note: not exposure-based rates)

	SHR Hospitalization Number Average per year	SHR Hospitalization Rate Average per year (as per population denominator)	SHR TBI contribution from head and neck %	Potential number of TBI per year	Sask. Injury & Trauma ED & Hospitalizations 2015/16	Sask. Transport Death Numbers (2005-2009)
Pedestrians	29	9.5	17.9	5	117	340
Bicycle	24	7.8	18.5	4	96	54
MC	121	39.1	19.4	23	691	1939
Playground	26	8.3	4.2	1	---	---

Saskatoon	Percent of all trips	Annual number of trips	Annual number of trips by mode	Average trip distance (km)	Annual distance travelled	Annual hospitalization Saskatoon	Hospitalization per 100 million km Saskatoon	Annual TBI hospitalization Saskatoon	Hospitalization TBI per 100 million km Saskatoon
MVC	82	288,602,000	236,653,640	5.75	1,360,758,430	67	4.9	13	1.0
Pedestrians	4	288,602,000	11,544,080	1.5	17,316,120	22	127.0	4	23.1
Bicyclists	4	288,602,000	11,544,080	3.4	39,249,872	22	56.1	4	10.2

- In SHR, playground injuries have a similar (but slightly higher) number of hospitalizations and rate of hospitalizations but less Traumatic Brain Injury (TBI) contribution compared to those of bicycling.
- In Saskatoon, pedestrian injuries have a higher number of hospitalizations and rate of hospitalizations and similar (but slightly lower) TBI contributions compared to those of bicycling. Compared to bicyclists and motor vehicle drivers, pedestrians have the highest exposure-based injury hospitalization and TBI risk rate.
- In Saskatoon, motor vehicle collision injuries have higher number of hospitalizations, rate of hospitalizations (based on denominator as population) and TBI contributions compared to those of bicycling. If exposure based comparisons are used, MVC's have the lowest injury hospitalization and TBI risk rates.
- Summary of data specifically re cycling injury:
 - Local data is not indicating that cycling-related injuries are the highest concern;
 - The pedestrian-related is the highest in both exposure-based rates for hospitalization and TBI injury (127.0 and 23.1 per 100 million km respectively)
 - Walking has a 2.3X higher injury hospitalization and TBI risk rate than cycling
 - Walking, compared to motor vehicles, has a 26X higher injury hospitalization risk rate and a 23X TBI risk rate
 - If looking at absolute hospitalization numbers (as many earlier studies have done), bicycling-related hospitalization number are the lowest
 - A helmet bylaw could potentially avoid 4 bicycling-related traumatic brain injuries a year. As we did not conduct a chart review, it is unknown whether TBI hospitalizations involved helmet use or not; that is, it is possible some head injury hospitalizations occurred in spite of helmet use.

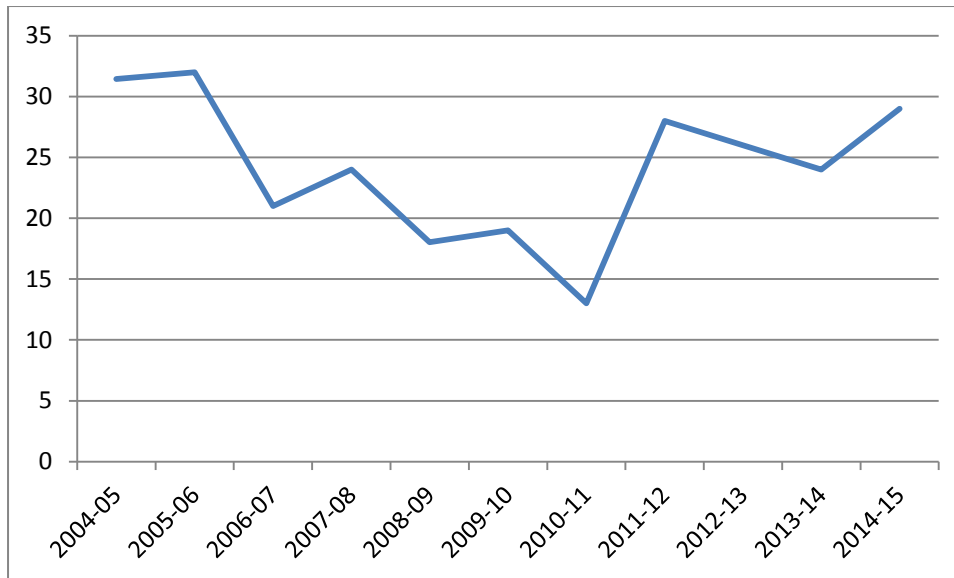
Policy Analysis Dimensions

Dimension 1: Effectiveness

i.e., what effects does the policy have on the targeted health problem

- Public Health Ontario compiled a [knowledge synthesis](#) (2015) regarding mandatory helmet legislation in Ontario and we analyzed that report in addition to further research
 - Prior to Ontario legislation (1995), helmet use was increasing (1990-94)
 - In Ontario, cycling deaths and injury had the lowest rates; death based on cycling exposure is comparable to other modes
 - 11% reduction of deaths per hour of cycling post legislation
 - 55% reduction of deaths per hour of walking post-(helmet) legislation
 - Something other than helmet legislation is happening to account for reductions in injury and death
 - Legislation in effect since 1995 and a rise in helmet use occurred
 - However trends prior to legislation were not accounted for therefore it is hard to discern the exact impact of the legislation
 - In an independent study ([MacPherson, 2006](#)) found that bicycle helmet use in their study population (East York, Ontario 5-19 year olds) increased from pre-legislation level of 45% to 68% in 1997 (Ontario legislation enacted in 1995), then decreased to 46% by 2001
 - There is something conflicting results for cycling behavior post legislation noted in the knowledge synthesis
 - Currently in Ontario, 1/3 report never wearing a helmet ([Statistics Canada, June 2018](#))

- “Bike helmet legislation places the onus of responsibility for protection from injury and death on the vulnerable road user, who must choose between complying with the laws vs not riding”
- Trends have shown that rate of bicycling-related head injury and injury overall have been declining in Canada ([Dennis, 2013](#), [Middaugh 2010](#), [Teschke, 2015](#))
 - SHR data has shown a declining trend for hospitalizations for bicycling injuries in 2004-10 and again in 2012-14



- The research findings regarding the impact of helmet legislation is inconsistent. The issue has been researched over the past two to three decades and evidence has been found both for and against the impact of legislation
 - **In regards to the “pro” legislation research:**
 - There have been criticism with a number of studies that are included in the systematic reviews based on flawed methodological issues, not looking at the independent effect of legislation and conclusions reached by researchers based on the data and/or not explaining/including data that did not support their conclusions
 - Examples:
 - None of the studies used an exposure-based denominator to assess risk estimate (however they concluded they were assessing risk). The first study to do this was done by [Teschke](#) (2013)
 - Trends of declining injury and death prior to legislation are not accounted or acknowledged in the conclusions; a decline in injury and death are wholly attributed to effect of legislation without acknowledging or controlling for other con-current happenings that could be contributing to the decline
 - Few studies include a breakdown by areas of environmental risk (e.g., cycling infrastructure, traffic volume, road type)
 - Research studies such as [Dennis, 2013](#) and [Teschke, 2015](#) have been argued to have superior methodology and controlled for background trends, modeling head injuries as a proportion of all cycling injuries, and calculating exposure-based risk rates compared to case-controlled studies or other ecological studies done in the past ([Goldacre, 2013](#))
 - **In regards to the ‘limited or no independent effect’ research:**

- In an analysis of helmet legislation and hospital admissions for cycling related head injuries in Canadian provinces and territories, it was found that after taking baseline trends of declining head injuries into account, no independent effect of helmet legislation is seen ([Dennis, 2013](#))
- In another Canadian study that examined cross-province comparison (with and without helmet legislation), exposure-based injury rates and mode share over 2006-2011 (a period of stable helmet legislation) were investigated ([Teschke, 2015](#))
 - Hospitalization rates were lower with higher bike share modes regardless of helmet legislation. For traffic-related injury causes, cycling mode share was the only explanatory variable. It was negatively associated with hospitalization rate, significantly so for injuries to any body region (in simple and multiple regression) and to the brain, head, scalp, skull or face (in simple regression)
 - Helmet legislation not associated with decreasing hospitalization rates for brain, scalp, skull, face or head injuries indicating that factors other than legislation have more influence on injury rates
- Based on the mathematical model created to determine net societal health benefit of helmet legislation, it was determined that in jurisdictions where cycling is relatively unsafe, helmets will do little to make it safer, and a helmet law, under extreme assumptions, may make a small positive contribution to net societal health ([De Jong, 2012](#))

Conclusion summary:

- Helmets are a piece of personal protective equipment and have the potential to reduce the risk of head injury if the individual has resources to purchase a helmet, wears it when cycling, the helmet fits appropriately, wear and tear on helmet is minimal and the collision happens at fairly low speeds ([Thompson, 2000](#)). However:
 - Helmets do not protect/prevent non-head and neck injury
 - SHR data shows 77% of hospitalizations related to bicycling injuries are non-head or neck related
 - Helmets do not prevent the collision or injury-cause from happening in the first place
 - Helmets do not address or mitigate the root causes around the collision and injury (e.g., lack of safe cycling infrastructure such as protected bike lanes)
 - Helmet legislation does not create a safe systems approach that provides universal injury (head and body) reduction potential to the whole population. It is an individual-level intervention of a piece of personal protective equipment and places the onus of responsibility on the user, not on the system

Conclusion: effectiveness = (Josh +; Cora neutral/+; Mel neutral) = Overall rating +

Dimension 2: Unintended Effects

i.e., what are the unintended effects of this policy

- Creating barriers to people cycling that do not own or operate (by choice, ability or cannot afford) a car to access employment, education, food, healthcare services and more
- A potential risk or compromise for creating safe infrastructure for active modes
- Research has highlighted a variety of concerns regarding unintended effects; however the evidence on the occurrence of these is mixed ([Marshall, 1994](#); [De Jong, 2012](#); [Teschke, 2015](#); [Public Health Ontario Knowledge Synthesis, 2015](#))

1. Disincentive effect where people choose not to cycle because of mandatory helmet use therefore impacting the cycling mode share. This may be due to the small burden of having and wearing a helmet as well as the disproportionate attention it draws among environmental risk factors associated with cycling
2. Increased perception of cycling as an unsafe mode of transportation; therefore a reduced cycling mode share (and loss of protection of safety in numbers)
3. If a decrease (or a non-increase) in cycling mode share happens, this hypothetically translates into less physical activity for the population. This results in a coinciding increased risk of chronic diseases such as diabetes, heart disease, cancers and mental health issues which increase the burden on the healthcare system and costs to society and decrease quality of life
4. Motorists take greater risks when driving near cyclists wearing helmets
5. Risk compensation of people cycling when wearing helmets (i.e. take more and greater risks)

Conclusion: unintended effects = (Josh --; Cora --; Mel --) Overall rating = --

Dimension 3: Equity

i.e., what are the effects of this policy on different groups?

- Effect of legislation has been shown to vary by income. In Ontario, two independent studies ([MacPherson, 2006](#); [Parkin, 2003](#)) looked at the impact on children 5-19yrs ([MacPherson, 2006](#)) and 5-14yrs ([Parkin, 2003](#)) and found:
 - High income area children most likely to be helmeted pre-legislation (73% high, 50% mid, 33% low income area) ([MacPherson, 2006](#))
 - Legislation had little effect (rate of change) on increasing helmet use in high-income area children ([Parkin, 2003](#))
 - Lowest income area children had lowest helmet use pre- and post- legislation in Ontario ([Parkin, 2003](#); [MacPherson, 2006](#))
 - Any increase in helmet use in mid- and low- income area children at start of helmet legislation was not sustained 2yrs, 4yrs and 6yrs post-legislation. At 4yr and 6yr marks, mid- and low-income area children's helmet use was back to pre-legislation rates
 - Helmet use in high-income area children was consistently the highest. Helmet use increased with legislation (73.1% pre-legislation to 89.3% in 1997). Levels were sustained post-legislation as of 2001 ([MacPherson, 2006](#)).

Income area	1995 Pre-legislation		1996, 1 year post-legislation		1997, 2 years post-legislation		1999, 4 years post-legislation		2001, 6 years post-legislation	
	% use	RL (95% CI)	% use	RL (95% CI)	% use	RL (95% CI)	% use	RL (95% CI)	% use	RL (95% CI)
High	73.1	2.2 (1.9 to 2.5)	77.7	1.2 (1.1 to 1.3)	89.3	1.6 (1.5 to 1.8)	80.9	2.6 (2.2 to 3.0)	84.5	2.6 (2.2 to 3.0)
Mid	50.0	1.5 (1.2 to 1.7)	78.4	1.2 (1.1 to 1.3)	59.9	1.1 (0.9 to 1.2)	53.9	1.8 (1.5 to 2.1)	50.4	1.5 (1.2 to 1.9)
Low	33.0	reference	61.4	reference	55.6	reference	30.8	reference	33.0	reference

CI, confidence interval; RL, relative likelihood.

- In the United States studies examined equity impacts in California ([Sullins, 2014](#); [Kraemer, 2016](#); [Castle, 2012](#)), Illinois ([Williams, 2018](#)) and Florida ([Kraemer, 2016](#)) and using the National Trauma Data Bank ([Gulack, 2015](#))

- Sub-populations of minority racial groups (African-American, Hispanic, Asian) less likely to wear helmets and helmet legislation was identified as less effective for these sub-populations ([Sullins, 2014](#), [Kraemer, 2016](#); [Williams, 2018](#); [Castle, 2012](#); [Gulack, 2015](#))
- Less helmet use with patients hospitalized for cycling injury that were on Medicaid (a proxy for low SES measure of families) ([Sullins, 2014](#), [Gulack, 2015](#))
- Helmet laws increase disparities between the white students and other minority ethnic students and these disparities generally persist for a follow-up time of at least a decade ([Kraemer, 2016](#))

Conclusion summary:

- Helmet legislation
 - Creates another barrier for people living in poverty to get around their community to access employment, education, food, healthcare services and /or social opportunities
 - Creates another barrier without addressing the cause of bicycling injuries for these individuals and the population overall

Conclusion: equity = (Josh --; Cora ---; Mel --) Overall rating = --

Dimension 4: Cost

i.e., what is the financial cost of this policy?

A cost estimate was beyond our purview; however the cost categories that were identified include:

- Resources (fiscal and human)
 - For city administration to do an investigative study for their purposes, prepare a report and build a case to convince Council;
 - To craft bylaw;
 - To hold public hearings
 - To address any resistance in the community
 - Implementation of bylaw
 - Program costs to administer free helmets to people who live in low-income circumstances to address health inequity impacts of bylaw
 - Other program or costs to mitigate other negative unintended effects
- * Unless there is additional staff and budget resources, this will take away from implementing the Active Transportation Plan and infrastructure projects for creating safe all ages and abilities cycling infrastructure and network
- Police enforcement of the bylaw
- Cost to people living in poverty – punitive to those that cannot afford to purchase a helmet
- Healthcare costs associated with chronic disease
- Using the SHR and Saskatoon local data potentially 4 TBI per year would be avoided with a bicycle helmet bylaw
- Some cost-recovery from the tickets issued and paid for not wearing a helmet

Conclusion: cost = (Josh --; Cora --; Mel --) Overall rating = --

Dimension 5: Feasibility

i.e., is this policy technically feasible?

- Feasible pending availability of resources, as outlined under Dimension 4
- There are no technological limitations and there are learnings from other jurisdictions.
- There is a question regarding the feasibility of ticketing a child or youth. If police cannot, or there is no incentive to pay, then a mandatory helmet bylaw becomes moot
 - There was some conversation regarding the similarity with seatbelt tickets for youth under 16 years and that the parents have to pay however, that is written into the Traffic Act whereas bicycle helmet use is not
- A policy window in the municipal processes to develop and implement a bylaw with the Bicycle Bylaw update process

Conclusion: feasibility = (Josh +; Cora +; Mel +) Overall rating = +

Dimension 6: Acceptability

i.e., do the relevant stakeholders view the policy as acceptable?

Below is based upon practitioners perspectives through knowledge of area and conversations with contacts

City/Municipal Stakeholders:

- Council unanimously opposed a helmet bylaw a few years ago
- Possibly contrary to concept and principles of Vision Zero
 - Risk of bylaw disproportionately placing the responsibility of safety on the individual users for personal protective equipment rather than addressing a safe systems approach and a universal intervention that benefits the whole population
 - Societal practices and expectations often default to education and individual responsibility; however Vision Zero offers a chance for a paradigm shift with identifying it is a shared responsibility (the individual level as well as the systems level) with a renewed commitment to deepen the system level approaches
- Staffing focus, the funding and implementation of projects – this can impact the implementation the Active Transportation Plan and creating a safe, all ages and abilities cycling network (high priority); staff time, funding and timelines would need to be compromised
 - Population and Public Health in Saskatoon has a long history of advocating for the City to create an Active Transportation Plan, participated in the process to create, and continues to advocate for its implementation. If the work of creating a mandatory helmet bylaw puts that in jeopardy, that would be undesirable.
 - The protective effect of a safer transportation system and road environment is always present regardless of a person's choice to don personal protective equipment, their age, ability, gender, ethnicity or income level ([Lavoie, 2014](#))
- The City has committed to increasing the cycling mode share in the city and has set targets to double the cycling mode share by 2045 for all trips and for commuting trips

- A helmet bylaw has the potential to negatively impact the City's progress on achieving these targets (by potentially negatively impacting bike mode share and disproportionately highlighting cycling as a 'risky' mode of transportation)
- The targets and achieving the targets, are indicated for the City's strategic goals of moving around, quality of life in addition to their climate action plan and the sustainability of the transportation system

People living in poverty/living in low-income areas:

- A helmet bylaw/legislation does not allow the inequities and unintended effects to be mitigated and avoided and can increase the barriers for people who do not have a car, to live their daily lives and engage in community

Cycling Advocacy Groups:

- Saskatoon Cycles is opposed to a helmet bylaw or legislation and feel the critical focus needs to be on the infrastructure and creating a safe environment for people of all ages and abilities to use cycling as a mode of transportation rather than placing the onus of safety at the level of the individual
- Cycling is not a dangerous activity in and of itself, the environment is dangerous if the right infrastructure is not in place

Provincial Government:

- Saskatchewan and Quebec are the only provinces that do not have any bicycle helmet legislation([Fridman, 2018](#)). Some of the provinces have for all ages (British Columbia, Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland and Labrador), while for others the legislation is age-restricted to children and youth (Alberta, Manitoba, Ontario)
- There is nothing in the Saskatchewan Traffic Act and the provincial government has deferred responsibility and action to the municipalities rather than take a provincial approach

Saskatchewan Urban Municipality Association (SUMA)

- A SUMA resolution passed in 2015 with just over 50% of votes to lobby the provincial government to create provincial legislation. The communities of Moose Jaw, Estevan and Yorkton have recently adopted bicycle helmet bylaws for those 16 years and under

Saskatchewan Medical Association (SMA)

- SMA advocates for helmet legislation and has a position paper on it as does the Canadian Pediatric Society
- In the literature, it is not uncommon for medical doctors who work in the acute care settings to have similar stances as they are dealing with the individual cases

Conclusion: acceptability = (Josh +; Cora --, Mel -) Overall rating = -

Presentation using scoring

Effectiveness	Unintended Effects	Equity	Cost	Feasibility	Acceptability
+	--	--	--	+	-

Overall Summary:

The protective effect of a safer transportation system and road environment is always present regardless of a person's choice to don personal protective equipment, their age, ability, gender, ethnicity or income level ([Lavoie, 2014](#)).

Bicycling as a mode of transportation is often disproportionately singled out as the riskiest mode of transportation. The best available approach to calculating risk is an exposure-based risk and the bulk of the research evidence in regards to helmet legislation did not include this calculation and analysis. When examining the risk of various modes (i.e. not looking at bicycling in isolation), the local data is not indicating that bicycling and bicycling-related injuries are the highest concern.

Being using a robust policy analysis framework, and looking at the analysis overall, a helmet bylaw or legislation is not indicated based on the dimensions of unintended effects, equity, cost and acceptability being unfavourably impacted.

Potentially eliminating 4 cycling-related TBIs per year is a less than favourable public policy option when comprehensively examining the cost, unintended effects (e.g. decreasing bike mode share), potential compromise to creating safe infrastructure for active modes (e.g., implementation of Active Transportation Plan is delayed or pace is slowed due to conflicting priorities) and the potential for increasing health inequities (e.g., punitive cost to people who cannot afford a helmet). Please note: it is not being argued that potentially 4 cycling-related TBIs per year is okay; but rather it is being recognized that if zero TBIs is the target, then this target needs to be applied to TBI attributed to walking and motor vehicles as well. Addressing the transportation system as a whole will provide more universal protection (for injury overall and TBI) to all road users.

Proposed PPH Recommendation:

Based on:

- inconsistent (and/or tenuous because of methodological flaws of earlier research) evidence of helmet legislation having a strong impact at a population level;
- the local data in terms of bicycling injury hospitalization data (numbers, rate, exposure-based risk rate, TBI contribution) is not indicating that bicycling-related injuries are the highest concern;
- the overall policy analysis of a helmet bylaw (in terms of effectiveness, unintended effects, equity, cost, feasibility and acceptability), which illuminated risks and drawbacks that could negatively impact health equity, health outcomes and progress on creating safe environments for all modes of transportation;

it is the recommendation of Population and Public Health, Saskatoon that:

1. the recommendation of the Chief Medical Health Officer in the Saskatoon Health Region Unintentional Injury Report (2016) remain unchanged "Encourage the use of bicycle helmets within Saskatoon";
2. the City of Saskatoon does not proceed with a bicycle helmet bylaw.

September 14, 2018

City Hall
222 - 3rd Avenue North
Saskatoon SK S7K 0J5

To the City of Saskatoon Administration:

Recommendation to include the mandatory use of bicycle helmets (Canadian Standards Association-approved) for cyclists of all ages in the update to Bylaw 6884

The benefits of cycling are well-known, and include positive effects on health and the environment. Unfortunately, cycling does not come without risks. Head injuries are a particularly serious outcome of cycling-related incidents, with the potential for death or long-term disability. In Saskatchewan between 2004 and 2013, there were 133 traumatic brain injuries in children and youth under the age of 20 due to cycling-related incidents, accounting for 25% of all cycling-related hospitalizations in this population. The risk of brain and head injury, however, can be mitigated through the use of helmets. Strong research evidence shows that bicycle helmets provide significant protection against traumatic brain, head, and upper facial injuries.

Based on available research, all-ages helmet legislation is an effective and protective strategy for the health and safety of cyclists with little to no evidence supporting common arguments against this legislation. Several professional organizations have called for mandatory bicycle helmet legislation for cyclists of all ages in an effort to prevent serious injuries, including the Canadian Pediatric Society, the Canadian Association of Emergency Physicians, and the Canadian Academy of Sport and Exercise Medicine. Although the Province of Saskatchewan has not yet enacted provincial helmet legislation, several municipalities have enacted legislation, including Moose Jaw, Estevan, and Yorkton. The Saskatchewan Prevention Institute encourages the City of Saskatoon to join these municipalities and include the mandatory use of Canadian Standards Association-approved bicycle helmets for cyclists of all ages in the update to Bylaw 6884.

Despite the proven protective effect of helmets, many cyclists still do not wear them. Research indicates that mandatory bicycle helmet legislation increases helmet use. Systematic reviews have shown that these increases in helmet use are sustained, particularly when they are combined with enforcement and education. The largest increases in helmet use tend to occur in places where legislation applies to all ages, rather than legislation targeted solely at children. Riders of all ages are at risk for head injury and are, therefore, protected by the use of helmets. Children are also much more likely to use helmets in the presence of adults wearing helmets. In addition to increases in helmet use, mandatory bicycle helmet legislation has been found to be associated with decreases in serious head injuries and cycling-related fatalities.

Potential unintended consequences are sometimes used as an argument against helmet legislation, including reduced cycling rates and greater risk-taking behaviours among cyclists. In their review of the literature, the Canadian Pediatric Society states that evidence for these unintended consequences of helmet legislation is weak and conflicting. The majority of existing research indicates that legislation is not associated with long-term reductions in cycling. It is difficult to measure whether people wearing helmets will be more likely to engage in risky cycling behaviours, but a review of the literature suggests that there is no direct evidence to support this argument. In fact, research among adults has shown that those who wear helmets are more likely to engage in precautionary behaviours.

Another argument that has been put forward against helmet legislation is that it may unfairly burden those living in poverty, both due to the cost of helmets and potential fines for those who do not wear a helmet. However, research from Alberta and Ontario suggests that helmet use increases by approximately the same amount in higher and lower-income neighbourhoods, and may even increase more in lower-income neighbourhoods where the baseline rates of helmet use are often lower. It is important to note that helmets are not overly expensive, particularly when compared to other mandated safety equipment like car seats and even booster seats. Subsidy and community programs are possibilities for helping families obtain helmets and can be combined with enforcement and education.

Legislation on safety issues serves an important purpose – to help parents and caregivers identify and adhere to best practice safety guidelines. Research has shown that once a safety initiative is legislated, parents believe that initiative is important to follow and easier to act on. The outcomes from booster seat legislation are highlighted as evidence of this effect, and researchers suggest that the same outcomes may be found for helmet legislation.

The Saskatchewan Prevention Institute's recommendation to include mandatory helmet use in the updated bicycle bylaw aligns with recommendations from the Saskatchewan Medical Association, the Canadian Pediatric Society, Parachute Canada, and the principles of Vision Zero. It is important that helmet legislation is accompanied by education and enforcement, in order to achieve optimal results in terms of long-term helmet use. By enacting mandatory helmet use, Saskatoon has the opportunity to be a leader in injury prevention in Saskatchewan.

Sincerely,



Joelle Schaefer
Executive Director

Supporting documents attached:

- *Bicycle Helmets: A Review of the Literature on Helmet Effectiveness and Impacts of Mandatory Helmet Legislation* (Saskatchewan Prevention Institute, 2018)
- *Bicycle Helmet Use in Canada: The Need for Legislation to Reduce the Risk of Head Injury* (Position Statement by the Canadian Paediatric Society, 2013)
- *Facts and Myths About Helmet Legislation* (Parachute, 2014)
- Cycling, Traffic and Non-Traffic (Chapter from the Report *Child and Youth Injury in Saskatchewan 2004-2013*; Saskatchewan Prevention Institute, 2017)

Bicycle Helmets:

A Review of the Literature on Helmet Effectiveness and Impacts of Mandatory Legislation

Jody Shynkaruk

9/13/2018

This document is intended for use by City of Saskatoon Administration to inform potential updates to Bylaw 6884 and is not to be distributed or used for any other purpose without the consent of the Saskatchewan Prevention Institute.

Bicycle Helmets: A Review of the Literature on Helmet Effectiveness and Impacts of Mandatory Helmet Legislation

Report prepared by Jody Shynkaruk, Saskatchewan Prevention Institute

Updated September 2018

Background

The benefits of cycling are well-known, and include positive effects on health and the environment. Encouraging physical activity in children is particularly important given the percentage of Canadian children who are overweight or obese. In 2015, 17.1% of Canadian children aged 5 to 18 years were overweight and 13.0% were obese (Statistics Canada, 2016). Although there are benefits to bicycling, it does not come without risks. In Saskatchewan, between 2004 and 2013, 539 children were hospitalized due to cycling-related injuries, representing 3.3% of all injury-related hospitalizations in children and youth in this time period (Saskatchewan Prevention Institute, 2017). Of these injuries, 86.1% were non-traffic and included falling off of a bicycle or striking a stationary object. The remaining 13.9% of cycling-related hospitalizations were due to children being struck by a motor vehicle.

Head injuries are a particularly serious outcome of cycling-related incidents, with the potential for death or long-term disability (Hagel & Yanchar, 2013). In Saskatchewan, between 2004 and 2013, head and neck injuries were responsible for 27.4% of the cycling-related hospitalizations in children and youth (Saskatchewan Prevention Institute, 2017). Of these, 86.9% were classified as traumatic brain injuries (e.g., concussions and internal head injuries). Not wearing a bicycle helmet has been identified as a significant risk factor for severe injury in cycling incidents (Hagel, Romanow, Enns, Williamson, & Rowe, 2015). In an effort to prevent these potentially serious injuries, several professional organizations have called for mandatory bicycle helmet legislation (e.g., the Canadian Pediatric Society, the Canadian Association of Emergency Physicians, and the Canadian Academy of Sport and Exercise Medicine).

Effectiveness of Helmets

There is extensive literature focused on the effectiveness of bicycle helmets for reducing the risk of severe head injuries, with many others highlighting the additional protective effect of helmets for reducing facial injuries. In their updated position statement, which is based on scientific studies and systematic reviews of existing evidence, the Canadian Academy of Sport and Exercise Medicine (CASEM) states that the protective value of helmets for bicycling is recognized (Goudie & Page, 2013). More specifically, they state that the existing evidence shows that helmet use in cyclists significantly decreases head and facial injury. Although the risk reduction estimates reported in meta-analyses and systematic reviews differ, their results all point to significant reductions in injury risk when cyclists wear helmets.

For example, a meta-analysis of 16 articles found that helmets were effective for reducing head injuries (conservative risk reduction estimates of at least 45%), brain injuries (conservative risk reduction estimates of at least 33%), facial injuries (conservative risk reduction estimates of at least 27%), and fatal injuries (conservative risk reduction estimates of at least 29%) (Attewell, Glase, & McFadden,

2001). A 2001 Cochrane systematic review reported that helmets reduce the risk of head injury by up to 88% and reduce the risk of upper and mid-facial injury by up to 65% for cyclists of all ages (Thompson, Rivara, & Thompson, 2001). Importantly, this review also showed that helmets provide equal levels of protection for crashes involving motor vehicles (69%) and crashes from all other causes (68%). Research from Australia indicated that helmet use was associated with a reduced risk of head injury in bicycle collisions with motor vehicles of up to 74% (Bambach, Mitchell, Grzebieta, & Olivier, 2013). This reduced risk was particularly true for more serious head injuries, including skull fractures, intracranial injuries, and concussive injuries. Olofsson, Bunketorp, and Andersson (2017) also found that the protectiveness of helmets against skull, brain, and facial injuries increases with the severity of the injury examined. Although the proportion of children with injuries did not decrease in their study, those wearing helmets were much less likely to experience serious or more severe skull and brain injuries and moderate or more severe facial injuries than those not wearing a helmet.

A re-analysis of Attewell et al.'s (2001) data, with the inclusion of newer research, confirmed the protective effect of helmets for reducing head and facial injuries (Elvik, 2011). The risk reduction estimates reported by Elvik were smaller but were still significant. Elvik suggested that earlier research tends to show stronger protective effects for helmets, perhaps due to the fact that different types of helmets do not provide the same protective effect. For example, hard shell helmets have been found to offer better protection against head and facial injury than soft shell helmets, which have become more popular over time. Even soft shell helmets have been found to provide substantial protection for cyclists of all ages however, particularly when compared to not wearing a helmet (Thompson et al., 2001).

More recent research has confirmed the effectiveness of helmets for reducing the severity of cycling-related injuries in the event of a crash, particularly brain injuries (Davison et al., 2013; Hollingworth, Harper, & Hamer, 2015; Kaplan, Vavatsoulas, & Prato, 2014), but also skull fractures and facial injuries (Michael, Davenport, & Draus, 2017). Biomechanical research, using a validated anthropomorphic test head-form and a range of drop heights, indicated that contemporary bicycle helmets are highly effective at reducing head injury metrics and the risk for severe brain injury in head impacts (Cripton, Dressler, Stuart, Dennison, & Richards, 2014). Another laboratory study concluded that helmets are an important preventive tool for reducing traumatic brain injury in children, including injury due to impact and/or compressive forces (Mattei et al., 2012). Joseph et al. (2017) found that helmeted cyclists had 51% reduced odds of severe traumatic brain injury, 44% reduced odds of mortality, 31% reduced odds of orbital fractures, and 27% reduced risk of facial contusions and lacerations. Persaud, Coleman, Zwolakowski, Lauwers, and Cass (2012) also identified reductions in head injury-related mortality associated with helmet use. Sethi et al. (2015) found that the protective effect for bicycle helmets against traumatic brain injury remained even after accounting for road safety measures in New York City (e.g., infrastructure improvements, bicycle share programs, enacting an action plan to reduce traffic deaths and serious injuries). These authors found that helmeted cyclists were 72% less likely to sustain a traumatic brain injury. Echoing the sentiments of many of the authors cited above, Michael et al. (2017)

concluded that “the consistent use of a properly fitting bicycle helmet is the single most effective safety measure to prevent head injury in the event of a bicycle accident” (p. 1009).

Calls for Mandatory Helmet Legislation

After reviewing the available evidence on the positive effects of helmet use, several Canadian associations have released policy statements calling for legislation around mandatory helmet use. For example, the Canadian Pediatric Society (CPS) recommends that all jurisdictions in Canada legislate and enforce bicycle helmet use for all ages (Hagel & Yanchar, 2013). In making this recommendation, the CPS states that there is evidence that such legislation increases helmet use and reduces the risk of head injuries. The CPS continues to advocate for the mandatory use of Canadian Standards Association-approved bicycle helmets for riders of all ages (CPS, 2016). They state that legislation must be accompanied by enforcement and education programs in order to be effective in the long-term.

Likewise, the Canadian Association of Emergency Physicians (CAEP) states that bicycle helmet legislation should be approved in provinces without any current law as soon as possible, and that existing legislation should be amended to make helmets mandatory for cyclists of all ages (Letovsky, Rowe, Friedman, Snider, & Sullivan, 2014). CAEP suggests that helmet use mitigates the severity and frequency of cycling injuries, including severe head injuries and death. Their review of the literature suggests that a ceiling effect may have been reached in helmet wearing, meaning that legislation is needed in order to increase rates of helmet wearing. The Canadian Academy of Sport and Exercise Medicine (CASEM) also advocates for comprehensive legislation mandating helmet use for bicyclists of all ages (Goudie & Page, 2013).

Effects of Mandatory Bicycle Helmet Legislation

Several reviews of the existing literature indicate that mandatory bicycle helmet legislation increases helmet use and decreases head injury. For example, a Cochrane review in 2008 showed that helmet use increased following the introduction of legislation (Macpherson & Spinks, 2008). Importantly, this review also showed that these increases in helmet use were associated with decreased injury rates and no decrease in bicycle ridership. A more recent study examining the effects of legislation on helmet use and ridership in Canada revealed similar findings (i.e., increased helmet use, decreased injury rate, no decrease in ridership) (Dennis, Potter, Ramsay, & Zarychanski, 2010). Another review of the existing literature suggests that while the effect size varies, the weight of the evidence shows that helmet legislation both increases helmet use and decreases head injury among children (Dellinger & Kresnow, 2010). This review also examined differences between statewide laws and laws covering smaller areas (e.g., municipal laws) and found that statewide laws were more effective in increasing helmet use (Dellinger & Kresnow, 2010). However, children living in states with only local laws were still more likely to wear bicycle helmets than those in states with no laws.

Another systematic review demonstrated higher proportions of helmet use following legislation (either regional, state/province-wide, or municipal level), although the increase varied across studies (increases

above 30% were reported in the majority of the included studies) (Karkhaneh, Kalenga, Hagel, & Rowe, 2006). The authors indicated that these effects occurred even in the absence of rigorous enforcement. This review also showed that there is a long-term effect of legislation, with sustained increases in helmet use following the introduction of legislation. Huybers et al. (2017) found that helmet use continued to rise in Nova Scotia up to 14 years post-legislation, with ongoing enforcement and educational efforts. Other recent research has found that legislation is associated with increases in helmet use (e.g., Jewett, Beck, Taylor, & Baldwin, 2012; Karkhaneh et al., 2011; Molina-García & Queral, 2016), and that these increases are sustained in the years following legislation (e.g., Karkhaneh et al., 2011; Kraemer, 2016; Olivier, Walter, Grzebiet, 2013). The largest increases in helmet use following legislation tend to occur in jurisdictions with lower baseline helmet use and in jurisdictions where legislation applies to all ages (Dennis et al., 2010; Goudie & Page, 2013; Karkhaneh et al., 2006; Karkhaneh et al., 2011).

Research from Alberta showed significant declines in the proportion of child cyclist-related emergency department head injuries and hospitalizations in the years following legislation (Karkhaneh, Rowe, Saunders, Voaklander, & Hagel, 2013). These authors concluded that their findings are consistent with a bicycle helmet legislation effect. In another Canadian study, Wesson et al. (2008) found significant reductions in cycling-related mortality in children following legislation in Ontario. Similar associations between legislation and reductions in cycling-related mortality have also been identified in the United States (Meehan, Lee, Fischer, & Mannix, 2013). Although the proportion of cyclists admitted to the hospital for head injuries in Seattle did not decrease in the ten-year period following helmet legislation, major head trauma as a proportion of all cycling-related head trauma did decrease significantly compared to the rest of King County which did not have helmet legislation (Kett, Rivara, Gomez, Kirk, & Yantsides, 2016). In other words, although the results of this study did not show an overall decrease in head injuries, it did show a decrease in the severity of head injuries and cycling-related fatalities. These findings led the authors to conclude that legislation was effective in reducing severe disability and death.

Some authors suggest that decreasing trends in head injuries in jurisdictions with helmet legislation may be due to reductions in cycling. Macpherson and Spinks (2008) suggest that comparisons between the proportion of head injuries compared with other cycling-related injuries pre- and post-legislation show significant declines in the proportion of head injuries compared to other injuries. Similarly, Joseph et al. (2017) limited their study inclusion criteria to include only patients with an intracranial bleed, giving them the ability to conclude that the observed reduction in severity of head injury was associated with helmet use rather than other factors. Macpherson et al. (2002) compared cycling-related head injuries and other cycling-related injuries in Canadian provinces with and without helmet legislation. They found that the legislation was associated with reductions in head injuries but not other cycling-related injuries, again indicating a significant effect of helmet legislation on cycling-related head injuries. Lee, Schofer, and Koppelman (2005) found similar outcomes in California when head injuries were compared to other cycling-related injuries. Olivier et al. (2013) found an increase in cycling-related arm injuries, similar to reported increases in cycling, but a reduction in cycling-related head injuries over a 10-year period

following legislation in Australia. Taken together, these studies suggest that the reported reductions in injury are due to increased helmet use following legislation, rather than a reduction in cycling.

Meehan et al. (2013) suggest that legislation can serve another purpose, in addition to increasing helmet use and decreasing injury. These authors suggest that legislation helps parents identify and adhere to best practice safety guidelines. In other words, once a safety initiative is legislated, parents believe that initiative is important to follow and easier to act on. These authors report outcomes related to booster seat legislation as evidence of this effect, and suggest that the same outcomes may be found for bicycle helmet legislation. Past surveys of Canadian parents indicated that parents are highly supportive of helmet legislation and that they believe bicycle helmets are effective for reducing injury (Parkin, Degroot, Macpherson, Fusello, & Macarthur, 2014).

Current State of Legislation in Canada

Despite calls for mandatory bicycle helmet legislation across Canada, and despite research indicating that legislation is effective at increasing helmet use and reducing injury, several provinces and territories do not have mandatory bicycle helmet legislation.¹ In addition to the three territories, two provinces do not currently have provincial legislation related to bicycle helmets, including Saskatchewan. It is for this reason that Saskatchewan is ranked “poor” in the 2016 CPS Status Report section on bicycle helmet legislation (see <http://www.cps.ca/en/status-report/bicycle-helmet-legislation> for more information). The CPS acknowledges that education programs are available in Saskatchewan, but the CPS continues to recommend that Saskatchewan enact legislation that requires all age groups to wear helmets. Five Canadian provinces currently have all-ages legislation, and another three provinces have bicycle helmet legislation for those under the age of 18 years.

Common Arguments against Mandatory Legislation

In their review of the literature, the CPS states that evidence for unintended consequences of helmet legislation (i.e., reduced cycling and greater risk-taking) is weak and conflicting (Hagel & Yanchar, 2013). The issue of reductions in cycling following mandatory helmet legislation has been investigated by a number of researchers. The majority of the findings suggest that legislation is not associated with long-term reductions in cycling. For example, in their review of data related to cycling in Nova Scotia post-helmet legislation, Huybers et al. (2017) indicated that helmet legislation was not associated with changes in the number of cyclists. Other researchers have also reported that legislation is not associated with a reduction in cycling (e.g., Dennis et al., 2010; Jewett et al., 2012; Karkhaneh et al., 2006; Leblanc, Beattie, & Culligan, 2002; Macpherson & Parkin, 2001; Macpherson & Spinks, 2008; Molina-García & Queral, 2016; Wesson et al., 2008).

¹ Refer to Parachute’s (2014) summary chart for more information about the current state of bicycle helmet legislation across Canada (<http://www.parachutecanada.org/downloads/policy/Bike%20Helmet%20Legislation%20Chart-2014.pdf>).

Kraemer (2016) found limited evidence that legislation may slightly reduce cycling (two of the four jurisdictions studied saw a decrease in cycling, while the other two jurisdictions did not). Kraemer stated that any reduction in cycling only matters from a physical health perspective if the health consequences of less activity exceed the injury benefits from helmet uptake. Other authors have also suggested that reduced cycling is only problematic in terms of health if other activities are not taken up in place of cycling (e.g., Hagel & Yanchar, 2013). However, the majority of the available literature indicates that reductions in cycling are not common following bicycle helmet legislation. Macpherson et al. (2006) suggest that year-to-year variations in cycling rates are more likely to be associated with other factors like weather or random variations in cycling, rather than legislation. Jewett et al. (2012) state that research concluding that helmet laws result in a decrease in ridership are limited and have not been duplicated.

Another common argument against mandatory helmet legislation is that if children are wearing helmets, they may engage in more risky cycling behaviours because they think they are protected from injury. Although this would be a difficult outcome to measure, research with adults has shown that those who wear helmets are more likely to engage in precautionary behaviours (Ramage-Morin, 2017). In his review of the literature, Elvik (2011) suggests that there is currently no direct evidence for the idea that helmeted cyclists adopt more risky riding behaviours.

Finally, some argue that helmet legislation may unfairly burden those living in poverty, both due to the cost of the helmet and potential fines for those who are not wearing a helmet. Canadian research suggests, however, that helmet use increases following legislation by approximately the same amount in higher and lower-income neighbourhoods, and may even increase more in lower-income neighbourhoods where the baseline rates of helmet use are often lower. For example, Hagel et al. (2006) found that helmet use increased by similar amounts in higher and lower-income neighbourhoods from two years prior to two years after Alberta's helmet legislation came into effect. Karkhaneh et al. (2011) reported similar findings for children under the age of 13 in Alberta. In Toronto, Parkin et al. (Parkin, Khambalia, Kmet, & Macarthur, 2003) found that legislation was associated with greater increases in helmet use in low and middle-income areas than in high-income areas, which had higher rates of helmet use prior to legislation. This is further evidence that legislation helps caregivers identify which safety initiatives are important to follow. In other words, caregivers may be more likely to spend money on a helmet following legislation, even if they have a lower income, because they believe it is important to do so. Bicycle helmets are not overly expensive, particularly when compared to other mandated safety equipment like car seats and booster seats. Subsidy and community programs are also possibilities for helping families obtain helmets.

Summary

There is strong evidence that bicycle helmets are significantly protective against head, brain, and upper facial injuries. There is also strong evidence that legislation increases helmet use and reduces the risk of bicycle-related head injury, particularly severe head injury. The majority of the research indicates that

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rates of cycling do not decline post-legislation. Research related to the possibility of increased risk-taking associated with mandatory helmet use is lacking, and such associations would be difficult to accurately measure. In order for these rates of use to be sustained over the long-term, it is important that legislation is combined with targeted education campaigns and enforcement.

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HELMET LEGISLATION



MYTH: Helmet laws should not apply to adults.

Helmet legislation that pertains to all ages is absolutely necessary because both adult and children cyclists are at risk for head injury. Practicing safe cycling behaviour, including wearing a bike helmet, is not something adults outgrow.

Research demonstrates the important influence of adult role models on children's helmet wearing behaviour. Children are more likely to wear a bike helmet if their adult riding companions wear helmets. In one study, 95 per cent of children wore a helmet when riding with an adult wearing a helmet, while only 40 per cent of children wore a helmet when riding with an adult who was not wearing a helmet.¹

In addition, bike helmet legislation that applies to all ages eliminates the additional enforcement challenge of determining a cyclist's age without stopping them. All-ages bike helmet legislation would remove this obstacle to viable enforcement.

MYTH: Introducing and enforcing helmet legislation wastes time and money that could be put toward more important road safety initiatives.

Improving road safety must target all at-risk groups, including cyclists, pedestrians and motor vehicle drivers and occupants. Although it is important to invest time and money in reducing motor vehicle collisions and protecting motor vehicle occupants, increasing helmet usage amongst cyclists is vital. Wearing a helmet is a simple and cost effective approach to reducing head injuries among cyclists, and should not be overlooked.

Head injuries are the leading cause of severe injury to children on bicycles.² Many individuals with severe head injuries continue to live with enormous injury costs, which are borne largely by society. Investing resources in creating and enforcing helmet legislation to increase bike helmet use has significant cost saving potential. It has been estimated that for every one dollar spent on bike helmets, 30 dollars in injury costs are prevented.³ This amounts to approximately \$400,000 in medical costs in the first year of head injury alone.

Research strongly suggests that, at best, education programs alone are effective in bringing bike helmet use to only about 50 per cent of the population.^{4,5} Legislation, along with ongoing education and enforcement is necessary to exceed the 50 per cent mark and make bike helmet use an accepted social norm.⁶

MYTH: Helmet laws are just another attempt to restrict lifestyle choices and regulate the private lives of individuals.

Our society accepts many laws that offer protection to individuals even though they require us to relinquish some measure of freedom. For instance, 90 per cent of Canadians now use seat belts which suggest that most individuals are willing to comply with this law even if it restricts their freedom to some degree.⁷ Similar to seat belt laws, helmet laws are introduced to protect people from preventable injuries and keep individuals safe so



they can carry out daily activities that they enjoy.

Some critics argue that bike helmet laws will discourage people from cycling.⁸ There is no evidence to support this claim. In fact, a study in Toronto found that, following the introduction of bike helmet legislation for children, average cycling levels for children were actually higher than the year prior to legislation.⁹

A systematic review of the effectiveness of bike helmet legislation to increase helmet use found that after the law was introduced, bike helmet use increased.¹⁰ These studies demonstrate the positive effect of legislation in garnering helmet compliance. A recent study in Alberta found that after helmet legislation was introduced for those under age 18, helmet use increased by almost four times in this age group. In contrast, those over age 18, who were not affected by the introduction of the helmet law, did not significantly increase their helmet use.¹¹

Currently, there is not a strong body of evidence to demonstrate that cycling decreases when helmet laws are introduced. However, it is commonly known that those who suffer serious head injuries can face long term consequences and even permanent disability that may prevent them from participating in many healthy active forms of recreation. Research indicates that up to eight per cent of people discontinue a recreational activity because of a preventable injury.¹²

MYTH: The effectiveness of helmets and helmet laws in reducing head injuries is questionable.

Research illustrates that a properly fitted bike helmet helps protect the head by absorbing the force from a crash or a fall, and decreases the risk of a serious head injury by as much as 85 per cent and brain injury by 88 per cent.^{13, 14, 15} Systematic reviews have proved the effectiveness of bike helmets at reducing head injuries and the effectiveness of helmet legislation in increasing helmet use. Systematic reviews are widely regarded by researchers as reliable evidencebased assessments of health care practices.

A cross-Canada study has demonstrated that head injury rates among child and youth cyclists are about 25 per cent lower in provinces with helmet legislation, compared to provinces without legislation. Of the many factors examined in the study, only the presence of a bike helmet law in the child's province was significantly associated with a lower rate of hospitalization for head injury among young cyclists. Over the four year period studied, it was determined that 687 hospitalizations for head injuries to child cyclists could have been prevented if every province and territory had bike helmet legislation in place.¹⁶

Myth: Wearing helmets may give cyclists a false sense of security which may encourage them to take more risks.

Some critics assert that cyclists who wear helmets may feel more protected, resulting in greater risk-taking behaviour, with a subsequent increase in bicycle related injuries. If this theory is correct we might expect to see greater rates of injury overall after the introduction of bike helmet legislation, with the assumption that an increased number of helmet-wearing cyclists are taking more risks. However, current evidence contradicts this theory. Studies in several countries have revealed that after bike helmet legislation is introduced, head injury rates to cyclists have declined.¹⁷

These studies indicate that riders who wear helmets do not take greater risks than those who do not wear bike helmets. There is no credible scientific data to support the "risk compensation" theory. In fact, recent case-control research found that the use of protective equipment (various types) did not result in reports of greater risk-taking behaviour in the sample of children aged eight to 18 in this study.¹⁸



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SASKATOON CYCLES (SC)

**SUBMISSIONS TO
THE CITY OF SASKATOON
STANDING POLICY COMMITTEE ON
TRANSPORTATION**

BYLAW NO. 6884

“The Bicycle Bylaw”



**SUBMITTED BY THE BOARD OF
SASKATOON CYCLES INC**

July 2017

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III. Introduction

Founded in 2010, Saskatoon Cycles is a registered non-profit that advocates for a city in which cycling is a viable, year-round mode of transportation that is safe and convenient for all ages. Our vision for the City of Saskatoon includes a city where residents of all ages feel safe and welcome to cycle year-round and mutual respect and tolerance exists for all modes of transportation. In keeping with our organization's objectives and vision, we request that the City of Saskatoon reconsiders and revises Bylaw No. 6884 ("the Bicycle Bylaw") to remove potentially dangerous, confusing and outdated provisions and bring this bylaw in line with current best practices.

We frequently hear concerns from our members over several existing provisions in the Bicycle Bylaw and the city's attempts at enforcing these against them. In 2012, we polled our members to hear their concerns directly and the product of that polling was provided to the city for review. We also understand that the now defunct Cycling Advisory Group was working on seeking reform of uncontroversial items in collaboration with the city's administrative staff. Furthermore, we note that the City of Saskatoon's Active Transportation Plan expressly calls on the city to review and update the Bicycle Bylaw to ensure that it reflects best practices and emerging technologies and equipment.ⁱ For these reasons, we decided to build on our earlier work by making a submission directly to the Standing Committee on Transportation to facilitate an informed discussion of the bylaw by members of city council.

We note that a municipal corporation such as the City of Saskatoon exists to fulfill such purposes as developing and maintaining a safe and viable community and fostering the economic, social and environmental well-being of that community.ⁱⁱ These purposes must guide city council's exercise of its bylaw-making powers.ⁱⁱⁱ While we recognize that the city has wide discretion in regulating transportation through bylaws,^{iv} we further note that there are limits to the city's ability to impose dangerous conditions on cycling.^v We also question whether there might be limits to the city's ability to restrict people's access to and movement through public space by way of bicycle.^{vi} Furthermore, we note that there may be legal restrictions on the city's ability to discriminate between individuals traveling by bicycle and those using other modes of transportation with respect to access to public spaces such as roads and sidewalks.^{vii} We ask that the city bear these legal principles in mind when reviewing this submission and reconsidering provisions in the current Bicycle Bylaw.

We also recognize that the fulfillment of the city's obligations in terms of providing safe and equitable transportation options will require more than mere bylaw reforms. Greater investment in cycling infrastructure in the city is a priority for our organization and we acknowledge the significant steps that the city is taking in this regard, particularly by way of the Active Transportation Plan. Nevertheless, we believe that the Bicycle Bylaw must be reformed as part of a comprehensive approach to ensuring the safety, comfort and convenience of people traveling by bicycle in Saskatoon.

Finally, we note that the Saskatoon has unique considerations for our northern climate and for this reason we have tried to include examples of best practices from jurisdictions with broadly comparable winters in terms of sub-zero temperatures and substantial snowfall.

IV. Provisions of Concern

A. Use of horn or bell (section 6)

Our members have raised concerns with this provision being unwieldy, impractical, unnecessary and impossible to fully enforce. We strongly recommend that this section of the Bicycle Bylaw be removed in its entirety.

No empirical support for mandating use of bells or horns

In the preparation of this submission for reform to the Bicycle Bylaw we reviewed numerous studies of cyclist/motorist and cyclist/pedestrian collisions, including collision reports for the cities of Boston, Chicago, Denver, and Vancouver and coroner's reports from Ontario, Toronto, and New Zealand.^{viii} In spite of the number and variety of collisions analyzed in these reports and the number and variety of prescriptive recommendations for improved laws, education and enforcement coming out of these reports, it is notable that not one single report we found identified the failure to use bike bells or horns as a contributing factor in the crashes they analyzed. Likewise, not one single report we found recommended making the use of such devices mandatory, or even recommended greater education or enforcement with respect to use of such devices in preventing future collisions. In fact, we were unable to find any empirical

support whatsoever for the use of bike bells or horns as a safety device to protect either cyclists or pedestrians. On this basis alone, legally mandating the use of such devices is difficult to support.

Practical issues

Many people in the city use road bikes or triathlon bikes for competitions, exercise and training and these bikes are generally designed in such a way that their handlebars will not accommodate ordinary bells or horns. Furthermore, road and triathlon cyclists generally do not wish to further encumber their bikes with bells or horns when these bikes are designed to be as light as possible, are very fast moving and almost exclusively used on roads where bells and horns are of limited utility. We do not anticipate that many road or triathlon cyclists in the city comply with this section of the bylaw, nor do we believe that they should be mandated to.

It is also worth noting that there are many different types of bicycles used for many different types of legitimate purposes in Saskatoon, some of which do not involve commuting or regular interactions with pedestrians. We do not anticipate that a mandatory requirement for a bike bell or horn ought to apply to bicycles such as BMXs, fixed gears or certain types of mountain bikes when these are used solely for recreational purposes that do not give rise to any pedestrian/cyclist interactions, such as when used in skate parks or arenas for polo.

We also urge the city to consider whether a requirement for bicycles to be outfitted with bells or horns that are audible at a distance of not less than 35 metres away could ever possibly be enforced. The audibility of a horn or bell would vary greatly depending on such factors as ambient noise levels and weather conditions, for example. It is also hard to imagine how one could determine whether a particular bell or horn met this requirement before issuing a ticket for an infraction of this bylaw.

The “Bell or Yell” Debate

Some cyclists choose to simply slow down before passing another cyclist or pedestrian and will audibly tell that person that they are “(passing) on your left” before overtaking. We are not aware of any reason why doing so should be any less effective or more startling than the use of a bell or horn to alert pedestrians or other cyclists of one’s intention to overtake. We recognize differing views on whether use of a bell is more or less courteous than the use of one’s own voice (the so-called “bell or yell” debate). However, subjective preferences on cycling etiquette

do not provide defensible support for legally mandating use of a device that has not been empirically shown to improve safety for either cyclists or pedestrians.

Preferable provisions from other jurisdictions

It would be preferable for there to be no requirement for a bell or horn, as appears to be the case in many of the jurisdictions we examined for the purposes of this submission. By way of example, Ohio law no longer requires a bell or horn for cyclists,^{ix} nor does British Columbia's *Motor Vehicle Act*.^x Oregon law has created a more practical and flexible provision by requiring cyclists to "give an audible warning before overtaking and passing a pedestrian" without attempting to constrain how that audible warning might be given.^{xi} We also found numerous other states had either no requirement whatsoever for a bell or horn,^{xii} or had taken a similar approach to Oregon in allowing the use of one's voice as a suitable alternative to a bell.^{xiii} We strongly suggest that this provision be removed in its entirety. However, in the alternative, we suggest that the city not try to constrain how "audible warnings" are given so as to not impose impractical restrictions on certain types of cyclists.

B. Position on street (section 8)

As currently drafted, the bylaw requires people on bikes to be positioned on the street so "as to be as close as is reasonably practicable to the right hand curb" unless they are approaching an intersection and indicating an intention to turn. We submit that this requirement should either be removed in its entirety or further clarified with respect to additional justifiable exceptions to a general rule to stay right.

Hazardous conditions adjacent to curbs

This provision is of significant concern to our members due to ambiguity around the meaning of being "as close as is reasonably practical to the right hand curb". This could be interpreted as requiring cyclists to make room for motor vehicles to pass by hugging the curb, even though this part of the street is often poorly maintained, pot-holed and full of gravel and other hazards. This provision could also be interpreted as negating a cyclist's right to "take the lane" when they are concerned that it would be unsafe for a motor vehicle to try to pass them due to the presence of hazards such as these. The city also ought to consider how such an ambiguous

requirement could interact negatively with any duty of care it may owe to people on bikes in terms of proper maintenance of roads.^{xiv}

Inconsistency with cycling best practices

The city ought to consider how such an ambiguous requirement might inadvertently encourage people on bikes to engage in dangerous behaviour such as riding within a door's length of parked cars or weaving in and out between parked cars in order to stay as far to the right as possible. The Saskatchewan Prevention Institute recommends that people ride their bikes in a straight line one metre away from parked cars to ensure they remain visible to motorists and out of danger from car doors suddenly opening or parked cars suddenly pulling into traffic.^{xv} The Prevention Institute also recommends that people ride bicycles one metre away from the curb in order to maintain visibility and avoid holes, debris, grates and other hazardous objects often found directly adjacent to the curb.^{xvi} The City of Saskatoon's own Cycling Rules of the Road likewise acknowledge the right to ride one's bike in the centre of any traffic lane, and advise people to always ride in a straight line, not weave in and out of parked vehicles, and allow room on both one's right and left to get around hazards or to move aside if you are passed too closely.^{xvii} It is hard to square the city's own understanding of the rules of the road and cycling best practices with a bylaw provision that says little more than 'keep right except when turning'.

Unfavourable treatment of bicycles compared to other vehicles

It is also worth considering whether this provision might unduly discriminate between bicycles and other motor vehicles. Bicycles are lumped in with other vehicles for the purposes of provincial traffic safety laws,^{xviii} yet this provision of the bylaw singles bicycles out in mandating cyclists to keep to the right of any traffic lane in which they find themselves (as opposed to keeping to the right lane on multi-lane routes). This is particularly concerning since a considerable proportion of fatal bicycle-motor vehicle collisions occur when motorists attempt to pass cyclists from behind without waiting for a gap in traffic to ensure they are passing at a safe distance.^{xix} It is also concerning in light of the significant number of bicycle-motor vehicle collisions that involve "doorings" from parked cars, especially on major streets with parked cars and no cycling infrastructure.^{xx} The city may wish to consider whether such unfavourable discrimination against bicycles in terms of where they ought to be positioned on the street is advisable in light of the hazards it may create for cyclists.

Preferable provisions from other jurisdictions

Several American jurisdictions have a similar requirement for bicycles to be “as close as reasonably practicable to the right hand of the curb” but have set out a greater number of exceptions to this general rule that favour the safety of cyclists. Relevant exceptions to staying right in these jurisdictions include: when overtaking or passing another vehicle; when reasonably necessary to avoid other vehicles or obstructions; where there are narrow lane widths or other hazards; where there are three lanes of traffic; and where there is one way traffic.^{xxi}

Ontario’s *Highway Traffic Act* provides for several similar exceptions to those set out in American jurisdictions.^{xxii} British Columbia’s *Motor Vehicle Act* also has a noteworthy exception that none of its restrictions on cyclists “require a person to ride a cycle on any part of a highway that is not paved”.^{xxiii}

We also strongly recommend a ‘catch all’ exception to the requirement to staying right where doing so would compromise a cyclist’s safety. For example, consider the following exception language from Ohio’s traffic laws with respect to vehicles staying to the right of lanes: “Nothing in [...] this section requires a driver of a slower vehicle to compromise the driver’s safety to allow overtaking by a faster vehicle”.^{xxiv} While that language is drafted for a law that impacts bicycles and other vehicles equally, it could easily be adapted for inclusion in the Bicycle Bylaw, which we strongly recommend if the city is to continue to have any rule for staying right in the Bicycle Bylaw.

One metre minimum passing distance requirement

Several jurisdictions across the world have implemented requirements for motor vehicles to provide at least one metre of space to cyclists when overtaking them, which ensures that motorists have countervailing obligations towards cyclists in these circumstances rather than putting the onus solely on the more vulnerable road user. Twenty-six American states have already enacted requirements for motorists to provide cyclists with at least two feet of space when passing, and two additional states have implemented even greater space requirements for passing cyclists.^{xxv} Either one metre or 1.5 metre minimum passing distances are also required in various other jurisdictions including the Netherlands, France, Portugal, Belgium, Spain, and the Western Cape Province of South Africa.^{xxvi} In Australia, the state of South Australia requires a one metre passing distance on roads with speeds up to 60km/h and 1.5 metres on roads with higher speeds. Similar minimum passing distances are also being trialed in

the states of Queensland, New South Wales and the Australian Capital Territory, and a parliamentary inquiry is currently investigating minimum passing distances for Victoria.^{xxvii} Here in Canada a one metre passing distance is required in both Ontario and Nova Scotia.^{xxviii}

The city ought to consider whether setting a one metre minimum passing distance within Saskatoon by bylaw is feasible and desirable. While it would be ideal for such a restriction to apply across the province through an amendment to the *Highway Traffic Act*, it may be possible for the city to take the lead on this through its more localized jurisdiction.

C. Prohibition against cycling on sidewalks (section 8)

As currently drafted, the bylaw also requires cyclists to “utilize only that portion of the street as is intended for the passage of motor vehicles”, which we interpret as prohibiting usage of bicycles on sidewalks in the city, except where otherwise provided for. We suggest that this section of the bylaw ought to be carefully revised to allow for cycling on the sidewalks in certain circumstances.

Hazardous conditions on roads

First and foremost, we are concerned that a blanket restriction on cycling on sidewalks is not equally practical in all neighbourhoods and areas of the city, nor is it necessarily practical during all seasons. For example, in areas of the city that are frequented by industrial vehicles it can be intimidating and dangerous for cyclists to ride on the road during periods of heavy traffic. To the extent that some of these same roads have sidewalks, we strongly encourage the city to recognize the need for an exception for the use of bicycles on those sidewalks to avoid such hazardous and intimidating roadways. We are also aware that many of our members refuse to cycle on highly trafficked roadways during the winter and opt for riding on the sidewalks in order to avoid snow and ice on roads where a significant amount of motor vehicle traffic is present. Again, we strongly suggest that the city consider how a blanket prohibition on cycling on sidewalks could interact negatively with any duty of care it may owe to people on bikes in terms of proper maintenance of roads.^{xxix} We strongly advocate against the city mandating people to ride their bikes in such a manner as might put them in danger.

Inconsistency of application

We are also concerned that this blanket prohibition against cycling on sidewalks is paired with various ad hoc exceptions that make it difficult to know where this restriction applies and where it might not apply. For example, the bylaw currently exempts cycling on the sidewalk portions of bridges in the city from this prohibition at section 21(c). We are also aware that sections of the sidewalks that link to the bridges provide for a similar exemption, having been designated for ‘shared use’. In practice, however, we are aware of conflicts between pedestrians and cyclists on these shared use sidewalks based on the general presumption of some pedestrians that cyclists never have a right to ride on sidewalks. We are also aware of confusion that cyclists face in determining where sidewalks cease to be available for shared use, which can lead to further pedestrian-cyclist conflict. While we advocate that the city pursues the ultimate goal of having effective and connected cycling infrastructure throughout the city so that cycling on sidewalks is never necessary, the status quo in Saskatoon involves a complex patchwork of exceptions to the general prohibition against riding on sidewalks that makes it confusing and difficult to conform to this rule in all instances.

Application to children of all ages

Furthermore, we have concerns over the broad application of the prohibition against cycling on sidewalks so as to include children of all ages within its ambit. Bearing in mind differences in terms of overall vulnerability, level of awareness and control, level of speed and agility, and matters of size and visibility as between young children and adults, as well as the types of bicycles designed for them, we strongly suggest that the city consider exempting children under a certain age from this prohibition’s application. We strongly discourage the city from mandating that children operate their bicycles in such a manner as might put them in danger.

Preferable provisions from other jurisdictions

We suggest that the city consider whether it would be appropriate to generally allow cycling on sidewalks subject to explicit restrictions, as is the case in Oregon.^{xxx} Oregon law provides cyclists riding on sidewalks with the same rights and duties as pedestrians, subject to various restrictions that constitute “unsafe operation of a bicycle on a sidewalk”.^{xxxi} The restrictions on cycling on sidewalks are limited to prohibitions against: (a) suddenly leaving the curb and entering the path of vehicle that is close enough to constitute an immediate hazard; (b) not giving an audible warning before overtaking or passing a pedestrian and not yielding the right of

way to all pedestrians on a sidewalk; (c) cycling in a careless manner that is likely to endanger a person or property; (d) cycling at a speed greater than an ordinary walk when approaching or entering a crosswalk, approaching or crossing a curb or pedestrian ramp when a motor vehicle is approaching; or (e) operating an electric assisted bicycle on a sidewalk. We submit that these onerous restrictions on cycling on sidewalks may obviate the need for a blanket prohibition against cycling on sidewalks.

If necessary, these prohibitions could also be paired with area restrictions against cycling on sidewalks along designated streets where there is a higher likelihood of pedestrian-cyclist collisions, such as areas where pedestrians are regularly entering and exiting buildings (for example, along Broadway, 20th or in the downtown core).

In the alternative, we suggest that the city considers adding further exemptions such as those set out in Finland's *Road Traffic Act*, which allows children under 12 to ride their bikes on the sidewalk so long as they do not unduly interfere with pedestrian traffic.^{xxxii} It also allows all cyclists temporary use of the sidewalks where they have "special reasons" for doing so, so long as this use does not cause danger or considerable inconvenience to pedestrians. These exemptions could help address some of the concerns set out above with impracticalities around the current status quo in this regard.

One final point would be that however the city chooses to proceed with the issue of cycling on sidewalks, it is important that adequate direction is provided for the benefit of cyclists, pedestrians and motorists alike in terms of clarifying what is allowed and what is not. We strongly encourage the city to provide clear road paint or signage for this purpose, especially where there is currently an unclear transition between shared paths and sidewalks that are intended to be exclusively used by pedestrians.

D. Stunting (section 10)

While our members had not raised any particular concerns over this provision in our previous consultation and we have not given it priority in this review of the Bicycle Bylaw, we do encourage the city to consider whether a provision prohibiting cyclists from engaging in "any acrobatic or other stunt" is consistent with the city funding the construction and maintenance of numerous skateboard parks that may be reasonably expected to be used by individuals on

BMX and freestyle fixed gear bicycles, among other types of bicycles. Such a restriction can also be seen as conflicting with recreational trails throughout the city used by individuals on mountain bikes. We also encourage the city to consider how a general prohibition on stunting might discriminate between bicycles and other recreational modes of transportation such as skateboards or roller skates or blades that might reasonably be expected to be used for “stunting” purposes, especially in designated parks.

The city might consider simplifying this paragraph so that it maintains a requirement for cyclists to keep at least one hand on the handlebars at all times (see discussion of “loads” below), but removing the remainder of the provision.

E. Passengers (section 11)

Our members have raised concerns with this provision being obsolete and unnecessary due to the proliferation of types of bicycles that are purpose built for carrying more than one passenger, most of which would not be caught by the overly specific and obscure exception for bicycles with “a properly constructed pillion seat securely fastened over the rear wheel”. We strongly recommend that this section of the Bicycle Bylaw be removed in its entirety.

Preferable provisions from other jurisdictions

If the city insists on having an alternative provision in place that prohibits ‘doubling’ on bicycles not built for more than one passenger—an objective that we neither endorse nor encourage absent more data to suggest that such a prohibition is necessary and advisable—then the city ought to at least consider using simpler and more effective language to accomplish this goal. For example, Ontario’s *Highway Traffic Act* simply states that “[p]assengers are not allowed on a bicycle designed for one person”,^{xxxiii} which ensures that multi-passenger bicycles designed for that purpose are not inadvertently caught by this section of the bylaw. A similar provision is found in British Columbia’s *Motor Vehicle Act*, where it is stated that a cyclist “must not use the cycle to carry more persons at one time than the number for which it is designed and equipped”.^{xxxiv}

F. Loads (paragraph 12)

Our members have raised concerns with this provision being unnecessary as we are not aware of any data or evidence to suggest that over-loading of bicycles has been causing accidents in the city or elsewhere in the province. We recommend that this section of the Bicycle Bylaw also be removed in its entirety.

Preferable provisions from other jurisdictions

We further note that many other jurisdictions have not found load restrictions necessary in light of requirements for cyclists to be able to keep at least one hand on their handlebars at all times. For example, in Oregon a cyclist “commits the offense of having an unlawful load on a bicycle if the person is operating a bicycle and the person carries a package, bundle or article which prevents the person from keeping at least one hand upon the handlebar and having full control at all times”,^{xxxv} effectively tying these two restrictions together. California law has similarly created a load restriction that is only engaged where a package “prevents the operator [of a bicycle] from keeping at least one hand upon the handlebars”.^{xxxvi} Load restrictions are also notably absent from the restrictions on cyclists set out in Ontario’s *Highway Traffic Act* and British Columbia’s *Motor Vehicle Act*.

Practical issues

We also wish to highlight the difficulty that the city would have in enforcing this section of the Bicycle Bylaw as currently drafted since it sets out precise dimensions and weight in terms of the restrictions that it imposes. Further still, the city ought to consider how this provision might conflict with the use of bicycles that have been specifically designed for carrying very large loads, as there are bicycles designed for transportation of large packages as well as bicycles designed for touring purposes that are engineered so as to accommodate large weights that other bicycles may not safely and comfortably accommodate.

G. Obligatory use of cycling lanes (section 13)

Our members have raised concerns with this provision being unnecessary, unwieldy and, where cycling lanes are not properly designed or maintained, dangerous. We recommend that this section of the Bicycle Bylaw also be removed in its entirety.

Hazardous conditions in cycling lanes

Of greatest concern is that this provision could require cyclists to use cycling lanes even where these are often poorly maintained and full of gravel and other hazards, especially in winter. While we are strongly in support of protected cycling lanes and believe that these lanes are well-used by cyclists when properly designed and maintained, we commonly hear concerns from our members over gravel, dirt and debris accumulating in ‘painted on’ cycling lanes, and we believe that the city is already well aware of issues that the protected cycling lanes on 23rd Street have faced with accumulated rainwater, snow and ice during the winter, which can render these dangerous during certain conditions. Again, we submit that the city ought to consider how mandating the use of cycling lanes might negatively interact with any duty of care the city may owe to people on bikes in terms of proper maintenance of roads.^{xxxvii}

Unfavourable treatment of bicycles compared to other vehicles

We also submit that the city ought to consider whether this provision might unduly discriminate between bicycles and other motor vehicles. Again, while bicycles are lumped in with other vehicles for the purposes of provincial traffic safety laws,^{xxxviii} this provision of the bylaw singles bicycles out in mandating the use of cycling lanes with only a limited exception for turning. We did not find analogous restrictions in other jurisdictions that we investigated. In fact, we found that similar restrictions were notably absent from the relevant provincial laws in Ontario and British Columbia.

Preferable provisions from other jurisdictions

British Columbia’s *Motor Vehicle Act* explicitly reiterates that aside from the exceptions that it explicitly sets out, which do not mandate use of cycling lanes, “a person operating a cycle on a highway has the same rights and duties as a driver of a vehicle”.^{xxxix} We suggest that the city should take a similar non-discriminatory position on cycling, allowing people travelling by

bicycle to choose whether or not to use cycling infrastructure depending on the conditions in which they find that infrastructure.

In the alternative, we suggest that the city provide for more explicit exceptions to a general requirement for use of cycling lanes. For example, in Oregon use of cycling infrastructure is not obligatory when: (a) overtaking another bicycle; (b) preparing to execute a left turn; (c) avoiding debris or other hazardous conditions; (d) preparing to execute a right turn; (e) continuing straight at an intersection where the bicycle lane is to the right of the lane from which a motor vehicle must turn right.^{xl} There are very important practical reasons for including such exceptions, as discussed below.

Practical issues

Where cycle lanes are protected, there is a further issue around making left turns. A cyclist might choose not to enter the cycling lane on 23rd Street, for example, so as to safely and easily make a left turn onto a perpendicular road. Forcing cyclists to use the cycling lane at all times would make for overly burdensome restrictions when it might be easier, safer and more intuitive to make the turn from the traffic lane itself.

We are also concerned with the potential for this section to encourage conflicts between motorists and cyclists where the latter users of road infrastructure are non-compliant due to concerns over safety and practicality. As cyclists are the more vulnerable user group between the two, we strongly recommend against provisions that further entitle motorists to use of roads at the expense of the safety and practicality of cycling in the city.

H. Dismounting to pass pedestrians (section 21(c))

Our members have raised concerns with this provision being unnecessary and impractical. We strongly suggest that the city remove this provision in its entirety.

Practical issues

First and foremost, the provision is simply illogical. If a cyclist is forced to dismount their bicycle in order to pass a pedestrian on foot, a practical issue then arises as to how they can walk faster, while pushing their bike, so as to still pass that pedestrian once dismounted.

Furthermore, the question arises as to how they can still comfortably pass that pedestrian once dismounted, as you then have a person and their bike, side-by-side, attempting to pass another person. If anything, dismounting the bike to pass should only make the experience more uncomfortable and inconvenient for the pedestrian who might otherwise be seen to benefit from this rule but is now crowded out in the small sidewalks that traverse our main downtown bridges. The situation becomes even more unwieldy where a cyclist might be carrying a load, elderly or otherwise less physically capable of pushing their bikes across the bridges, two of which have notable inclines.

We encourage the city to consider whether there is any merit or benefit from this restriction when the Bicycle Bylaw already otherwise provides pedestrians with a right of way that cyclists must yield to, among other restrictions. It is unclear to us what further benefit might be obtained by this confusing and impractical restriction.

V. Summary of Recommendations

- 1) **Either remove the requirement for a horn or bell or replace this with a requirement that an audible warning be given before pedestrians are overtaken and passed**
- 2) **Either remove the requirement for cyclists to stay close to the right curb or revise this requirement to include a greater number of exceptions**
- 3) **Consider implementing a one metre minimum passing distance for motor vehicles overtaking cyclists within city limits**
- 4) **Remove the blanket prohibition against cycling on sidewalks and replace this with either area and behavioural restrictions as to where and how cycling on sidewalks can be safely conducted or provide exemptions for children under 12 and temporary use of sidewalks to avoid hazardous conditions**
- 5) **Remove the prohibition against stunts and acrobatics on bicycles**
- 6) **Remove or substantially revise the prohibition against passengers on bicycles to accommodate the full variety of bicycles designed for such purposes**
- 7) **Remove the load restrictions on cyclists**
- 8) **Remove the requirement for cyclists to use cycling lanes or revise this requirement to include a greater number of exceptions**
- 9) **Remove the requirement for cyclists to dismount before passing pedestrians while crossing bridges in the city**

VI. References

ⁱ City of Saskatoon, *Active Transportation Plan: Final Report* (Urban Systems Ltd: June 2016) at 86.

ⁱⁱ *The Cities Act*, SS 2002, c C-11.1, ss 4(2)(c) & (d).

ⁱⁱⁱ See, for example, *Halifax (Regional Municipality) v Canada (Public Works and Government Services)*, 2012 SCC 29 at [55], and *Catalyst Paper Corp v North Cowichan (District)*, 2012 SCC 2 at [25].

^{iv} *Ibid*, s 8(1)(e).

^v See, for example, *Canada (AG) v Bedford*, 2013 SCC 72 for a discussion of the circumstances in which a government's imposition of dangerous conditions on an otherwise legal activity might unjustifiably infringe an individual's right to life, liberty and security of the person under section 7 of the *Canadian Charter of Rights and Freedoms*. Coincidentally, the Supreme Court of Canada raised a hypothetical example of a law making cycling more dangerous in its discussion of the causal connection required in order to find such a law unconstitutional under section 7 of the *Charter* (see para [87]).

^{vi} See, for example, *R v Heywood*, [1994] 3 SCR 761, *R v Budreo*, (2000) 46 OR (3d) 481 (ONCA) and *Baril v Obelnicki*, 2007 MBCA 40 for discussions of how restrictions on an individual's freedom of movement or to roam in places where the rest of the public is free to roam can engage that individual's liberty under section 7 of the *Charter*. See also *R v SA*, 2014 ABCA 191: While a majority of the Alberta Court of Appeal expressed significant doubt that section 7 could extend to protect an individual's right to access and use public transportation, it is worth noting that they relied in part on the possibility of the appellant purchasing a secondhand bicycle in concluding that her poverty did not mean that a ban from public transit infringed her section 7 rights. In dissent, Bielby JA concluded that a ban from public transportation did engage the appellant's section 7 rights as it was necessary for her to access goods and services in the City of Edmonton. It is therefore at least worth considering whether some economically marginalized residents of the City of Saskatoon might have their section 7 rights engaged by extensively prohibitive restrictions on cycling.

^{vii} See for example *Elbow Valley Cycle Club v Rockyview (Municipal District No 44)*, (1997) 50 Alta LR (3d) 150 (ABQB) where the Court quashed a bylaw that prohibited cyclists from riding on a particular public roadway on the basis that this bylaw discriminated between motor vehicles and bicycles in a way that was not expressly authorized by Alberta's *Highway Traffic Act*, RSA 1980, c H-7. Note that discrimination in this administrative law sense is different than the forms of discrimination prohibited under the *Charter* or domestic human rights legislation. For further discussion of this limit on bylaw-making powers see for example: *Montréal v Arcade Amusements Inc*, [1985] 1 SCR 368, *R v Sharma*, [1993] 1 SCR 650, and *Greater Victoria School District No 61 v Oak Bay (District)*, 2006 BCCA 28.

viii City of Boston, *Cyclist Safety Report* (2013); City of Chicago, *2012 Bicycle Crash Analysis: Summary Report and Recommendations* (2012); City of Toronto, *Bicycle/Motor Vehicle Collision Study* (2003); Denver Public Works, *Bicycle Crash Analysis: Understanding and Reducing Bicycle & Motor Vehicle Crashes* (2016); Dr. Koorey, *New Zealand Chief Coroner's Inquiry Into Cycling Deaths* (2013); Office of the Chief Coroner for Ontario, *Cycling Death Review* (2012); Urban Systems, *Cycling Safety Study: Final Report for City of Vancouver* (2015).

ix Section 4511.56, *Ohio Revised Code* (2006).

x Section 183, *Motor Vehicle Act*, RSBC 1996, c 318.

xi Section 814.410(1)(b), *Oregon Revised Statutes*, vol 15, c 814 (2015).

xii See for further examples: section 42-4-221, *Colorado Revised Statutes*, c 42; section 46.61.780, *Revised Code of Washington*, c 46.61; section 21201, *California Vehicle Code*, c 479; section 169.222, *Minnesota Statutes*, c 169; section 347.89, *Wisconsin Statutes*, c 347; section 9-21-11-8, *Indiana Code 2016*, c 11.

xiii See for further examples: section 316.2065(10), *Florida Statutes*, c 316; section 61-8-608, *Montana Code Annotated 2015*, c 450; section 11B, *Massachusetts General Laws*, c 85.

xiv See for example *Johnson v Milton (Town)*, 2008 ONCA 440 and *Wong v Vancouver (City)*, 2001 BCSC 693.

xv See Saskatchewan Prevention Institute, Bike and Wheel Safety/Bicycle Safety Week, Rules of the Road <online: <http://www.skprevention.ca/bike-and-wheel-safety/#Rules of the Road> – accessed 26/03/16>.

xvi *Ibid.*

xvii See City of Saskatoon, Information for Cyclists, Cycling Rules of the Road <online: https://www.saskatoon.ca/sites/default/files/documents/cycling_guide_web.pdf - accessed 26/03/16>.

xviii See *The Highway Traffic Act*, SS 1986, c H-3.1, s 2(1)(hh) and *The Traffic Safety Act*, SS 2004, c T-18.1, s 2(1)(ccc). See also *Jones v Falconer*, (1993) 114 Sask R 121 (SKQB).

xix See for example Office of the Chief Coroner for Ontario, *Cycling Death Review* (2012) at 24. The Office of the Chief Coroner of Ontario found that the majority of the 129 cyclist deaths that occurred in Ontario between January 1, 2006 and December 31, 2010 were caused by motorists passing cyclists from behind at unsafe distances, leading the Office to recommend the introduction of a one meter/three foot passing rule. See also the City of Toronto Works and Emergency Services Department, *Bicycle/Motor Vehicle Collision Study*, 2003, which involved the review of 2,572 car/bike collisions that occurred between 1997 and 1998. The study found that 11.9% of all collisions occurred when cyclists were overtaken by motorists and these collisions were more likely to be either minimal or fatal, with fewer 'in-between' injuries than other types of collisions (p 95). In 13.4% of these collisions motorists were found to have

misjudged how much space was available to pass. See also W.W. Hunter et al, “Bicycle Crash Types: A 1990s Informational Guide”, US Dept of Transportation (1997), which studied 3,000 bicycle-motor vehicle crashes in six states, finding 8.6% of crashes occurred when motor vehicles overtook cyclists and 28% of cyclists involved in such crashes sustained serious or fatal injuries.

^{xx} See for example Kay Teschke et al, “Bicycling crash circumstances vary by route type: a cross-sectional analysis”, BMC Public Health 2015, 24:1205. The authors examined data from 690 cycling crashes reported in Vancouver and Toronto between May 2008 and November 2009, finding that 9.2% of these crashes involved vehicles doors, with the majority occurring on major streets with parked cars and no cycling infrastructure. See also the City of Toronto *Bicycle/Motor Vehicle Collision Study*, 2003, referenced above. The study found that 11.9% of car/bicycle collisions between 1997 and 1998 involved vehicles doors and these collisions resulted in injuries that were more severe than average (p 83).

^{xxi} See for example 2015 Minnesota Statutes, 169.222 Operation of Bicycle, subd. 4 Riding Rules, which provides exceptions for overtaking and passing another vehicle, preparing for a left turn, avoiding hazards, and when riding on a shoulder or in a bicycle lane. See also the California Vehicle Code 21202(a), which provides similar exceptions and only requires bicycles to keep right where they are being operated at a speed less than the normal speed of traffic moving in the same direction. See also Ohio Bill 389, 4511.55 for similar exceptions to a general rule that bicycles should keep right. See also Nova Scotia’s *Motor Vehicle Act*, RSNS 1989, c 293, section 171(4).

^{xxii} Section 147(2), *Highway Traffic Act*, RSO 1990, c H.8.

^{xxiii} Section 183(3), *Motor Vehicle Act*, RSBC 1996, c 318.

^{xxiv} Section A(2), *Ohio Revised Code*, Chapter 4511.25 (2016).

^{xxv} See National Conference of State Legislatures, Safely Passing Bicyclists Chart (12/17/2015) <online: <http://www.ncsl.org/research/transportation/safely-passing-bicyclists.aspx> - accessed 03/26/16>, which lists Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Kansas, Louisiana, Maine, Maryland, Minnesota, Mississippi, Nebraska, Nevada, New Hampshire, Oklahoma, Tennessee, Virginia, Utah, West Virginia, Wisconsin, Wyoming and the District of Columbia as having 3ft passing laws. It also lists Pennsylvania as having a four foot passing law and South Dakota having a two-tiered passing law with a 3ft requirement on roads with speed limits less than 35mph and a 6ft requirement on roads where any greater speed is allowed.

^{xxvi} N Haworth & A Schramm “The safety of bicycles being overtaken by cars: What do we know and what do we need to know?” Proceedings of the 2014 Australasian Road Safety Research, Policing & Education Conference.

^{xxvii} Amy Gillett Foundation, A Metre Matters – National update, March 2016 <online: <http://www.amygillett.org.au/wp-content/uploads/2016/03/1.-A-metre-matters-national-update-March-2016.pdf> - accessed 03/26/15>.

^{xxviii} See Ontario's *Highway Traffic Act*, RSO 1990, c H.8, section 148(6.1). See also Nova Scotia's *Motor Vehicle Act*, RSNS 1989, c 293, section 171B(1)(b).

^{xxix} See for example *Johnson v Milton (Town)*, 2008 ONCA 440 and *Wong v Vancouver (City)*, 2001 BCSC 693.

^{xxx} Section 814.450, *Oregon Revised Statutes*, vol 15, c 814 (2015).

^{xxxi} Sections 814.450 (1) & (2), *Oregon Revised Statutes*, vol 15, c 814 (2015).

^{xxxii} Section 8, *Road Traffic Act* 1981/267 (Finland).

^{xxxiii} Section 178(2), *Highway Traffic Act*, RSO 1990, c H.8.

^{xxxiv} Section 183(2)(g), *Motor Vehicle Act*, RSBC 1996, c 318.

^{xxxv} Section 814.410, *Oregon Revised Statutes*, vol 15, c 814.

^{xxxvi} Section 21205, *California Vehicle Code*, c 479.

^{xxxvii} Again, see for example *Johnson v Milton (Town)*, 2008 ONCA 440 and *Wong v Vancouver (City)*, 2001 BCSC 693.

^{xxxviii} See *The Highway Traffic Act*, SS 1986, c H-3.1, s 2(1)(hh) and *The Traffic Safety Act*, SS 2004, c T-18.1, s 2(1)(ccc). See also *Jones v Falconer*, (1993) 114 Sask R 121 (SKQB).

^{xxxix} Section 183(1), *Motor Vehicle Act*, RSBC 1996, c 318.

^{xl} Section 814.420(3), *Oregon Revised Statutes*, vol 15, c 814 (2015).

VI. Membership Feedback

In order to ensure that this submission reflects the firsthand experiences and occasionally divergent views of our membership, Saskatoon Cycles posted the submission in draft form on our website for several months and asked our members to review the submission and provide comments to us via email. Furthermore, we hosted an open house on February 22, 2017 to discuss the submission with our members and recorded further comments we heard during that open house. Overall, the members who contacted us about this submission were broadly in favour of its recommendations though commenters diverged on certain issues not addressed in this submission, such as whether lights should be mandatory. We have included summaries of the feedback from our members on the recommendations set out in this submission below.

Comments received by email (verbatim)

Comment #1

Hi,

First of all, good work on the draft document. It is as if I wrote it, as I believe that cycling on sidewalks should be allowed in the cases you mention. I am a bit concerned about your embracing Finland's under 12 idea. It isn't any safer for a 13-yr-old than it was for the 12-yr.-old. I embrace Oregon's cycling bylaws which allow for cycling on sidewalks and IF there is an infraction there can be consequences. Until such time, cycling is allowed on sidewalks. The problem, is, of course, the rotten apple cyclist who scares pedestrians, possibly even colliding with same. Someone I know said that she is afraid to walk on the Meewasin because of the dangerous cyclists on the blind curves, etc. She is honestly fearful of serious injury or worse. I don't know what we can do about these cyclists.

I sincerely hope city council takes your suggestions to heart.

Of course, the next best thing is to have great cycling paths, something that we certainly DO NOT have now. I am constantly confused as to why drivers would not want safe lanes. It would be a win-win solution because cyclists would not be slowing vehicular traffic and it would be safer for those who live to cycle, which is what I do. Cycling in winter certainly presents its own problems. Drivers maybe don't realize that a cyclist really has no place to ride except in the

path of the vehicle. The edges of the street have ridges narrow enough that a cyclist cannot ride there safely. Or there is the brown snow that is so dangerous. Or there is the ice, equally dangerous. I have had, on a daily basis, drivers speeding beside me as I am on the street. If I happened to swerve an inch I would be nailed by these speed demons. I appreciate so much the drivers who actually slow down and pass with plenty of space. Maybe we need a public education on the dangers of cycling and what motorists could do to make things safer.

In addition, for winter cycling I would suggest that the city make a concerted effort to plough side streets in both directions so cyclists can avoid main drags. For instance, after a snow, I am unable to cycle as I am restricted to main streets on which I will have to cycle IN the driving lane as there is nowhere else to go. If, for instance, 1st Street were cleared so one could avoid Taylor-- and Morgan from Taylor to 1st--then another north south, etc, one could safely go downtown, for instance.

Keep up the good work. I know I should volunteer for something and I will, eventually.

Sincerely,

<name redacted for privacy>

Comment #2

BRAVO!

As a frequent cyclist in the City of Saskatoon I take no strong issue with any of the recommendations, and have no hesitation in supporting the submission as a whole.

My two niggles are nothing more than that — niggles, but I offer them as evidence that I have read and considered the submission in detail.

- 1) My preference would be for a minimum leeway of 1.5 metres given by any vehicle passing another vehicle (including bicycles as “vehicles” in either instance.
- 2) Rather than a one-hand-on-the-handlebars rule, might a prohibition against cycling in a “dangerous or reckless manner” give enforcement authorities more discretion to use good sense, while at the same time putting the onus on them to satisfy a court that the behaviour was dangerous or reckless, rather than requiring the cyclist to prove that it wasn’t?

On the whole, an admirable piece of work. Thank you, and good luck in taking this project forward.

<name redacted for privacy>

Comment #3

Saskatoon Cycles:

I have read the suggested Bylaw Reform recommendations as proposed by Saskatoon Cycles and strongly support the comments and alternatives which have been presented. I most strongly support the right to choose the portion of the right-of-way which is deemed safest to the cyclist (be it street lane, bike lane, or sidewalk) based on conditions and environmental specifics.

I will reiterate the benefits of having a minimum passing distance of 1.0 meter for speeds of 60 km/hr or less and 1.5 metres for areas of greater speed limits.

Lastly, the City need only read the SGI manual on proper lane positioning for motorcycles to learn about proper lane positioning. This applies directly to urban cycling due to the need to maintain cyclist visibility and prohibit passing by other vehicles when it is unsafe to do so.

Thank you for your dedication to promoting cycling in Saskatoon and providing guidance to our municipal leaders on this front. As a seasonal resident in Saskatoon and home owner in the Nutana Park area I sincerely appreciate your efforts.

Best Regards,

<name redacted for privacy>, P.Eng.

Civil Engineer and Cycle Infrastructure Designer

Vancouver, BC.

Comment #4

Another suggestion for practicality of bells:

I don't have a bell at present because it was stolen. Thefts of bike and bike parts has risen sharply in the past couple of years. I have not bought a new bell because of where I park my bike – thefts of bike components are common and I feel a new bell would simply be stolen.

Thanks,

<name redacted for privacy>

Comment #5

I love your proposed revisions. Any chance of adding an Idaho Stop clause, or is that just shooting for the moon?

Thanks for your work,

<name redacted for privacy>, P.Eng
Design Engineer

Comment #6

Hi,

I just wanted to say that the reform document is great -- clear, well researched and well written.

The only suggestion I have is to give the section on allowing children to cycle on the sidewalk more prominence. A bylaw that forces young children learning to ride to do so on the street is absurd.

<name redacted for privacy>

Comment #7

These are great, thank you for submitting them. I have one concern/annoyance.

When I cycle the streets, I try not to use the sidewalks, one of the most frustrating things is that some traffic lights are designed to recognize a car and only change when triggered by a car. I

find I have to go to the sidewalk and activate the walk light which then means I end up cycling on the sidewalk. Is there any way to change this?

Thanks for your work,

<name redacted for privacy>

Comment #8

I would like to extend my appreciation for all of the work that went into this document. Thank you to everyone contributing.

I am a regular commuter and recreational cyclist. The suggested changes in this document are on the whole reasonable and long overdue.

One the topic of keeping to the right I would encourage stronger language that makes the default position a cyclists right to take a lane. In my experience, on most streets with parked cars the combination of 1m distance from the parked car, 1m passing distance and 60-70cm wide handlebars makes it impossible for a vehicle to safely pass without moving into the oncoming lane or left lane.

Rather than a debate on how far to the right a cyclist should be, I would prefer language that tells cyclists that their proper position is in the center of the rightmost lane.

Cheers,

<name redacted for privacy>

Comment #9

A Job Excellently done.

I am a bicycle commuter on city streets. This is well written and researched. I personally would endorse all recommendations made, both from a cyclist and a motorist perspective.

I have not read the city bylaw and so assume it has dealt with bicycle lighting appropriately. I truly hope the city is able to get behind the recommendations and then do a public education campaign.

Thank you all for hard work done on everyone's behalf.

Sincerely,

<name redacted for privacy>

Comment #10

This bylaw review is very well done and thorough. The research appears to be very deep and comprehensive and the recommendations are excellent.

However, one can anticipate resistance from city staff and councilors whose focus is on motor vehicle convenience as more important than promotion and safety for cycling. There will be objections. It will be important for concerned cyclists to lobby their councilors to give this bylaw review serious consideration. After all, it has been researched and written by experts and could be approved and implemented with little more expense than new signage and road paint.

I recommend another email to members requesting a mass communication effort to lobby councilors for their support. Be sure to include the things that work: a form letter with space for personal comments and addresses for all members of city council.

Congratulations on this terrific bylaw review.

<name redacted for privacy>

Comment #11

Hello,

I fully endorse the recommendations put forth by Saskatoon Cycles to the City of Saskatoon. Let's get past this enforcement item and move on to the real business of building best practice cycling infrastructure in the city. When cycling advocates have to ask for exceptions to using cycling infrastructure because it is unsafe for any reason, we have all failed to make progress.

<name redacted for privacy>

Comment #12

I am in favour of the new bylaws. They are professionally done and well researched. I especially liked the recommendation to think of new laws for bicycles in sidewalks. As a winter cyclist I find myself often choosing sidewalks when road conditions are hazardous. On a number of occasions I have been stopped by police to remind me of the bylaw. Yet they never give me a

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ticket. It feels like the police are not very in favour of policing this issue of winter bikes on Sidewalks.

Keep up the good work,

<name redacted for privacy>

Comment #13

Looks great. Thanks for taking this on. I read the proposal, and for what it's worth I don't see any issues with it.

<name redacted for privacy>

Comment #14

Thanks so much for the work on this draft. This addresses all of my concerns on the current bylaws, where some of the provisions outdated, often confusing, dangerous, or impractical. I helps bring clarity and a sense of practicality and responsibility to cyclists, car drivers, and the city that builds and maintains roadways for all types of transportation.

I am in full support of this draft.

Sincerely,

<name redacted for privacy>

Comment #15

I would submit that we do as portland does—tickets the wild cyclists on sidewalks. The rest are good to go.

Under 12 should not be a stipulation—adults need to be safe as well.

1 meter is not nearly enough—I suggest 2.

Bells are useless—I find that 90% of the people can't hear them.

Keep up the good work. I agree about not having to ride on the dedicated lanes—they are almost always in poor shape.

<name redacted for privacy>

Comment #16

In the bylaw review bell, practical issue:

You state road and triathlon cyclists have bikes that are as light as possible and don't want to encumber their bikes with a bell. The weight of a bell is negligible with respect to the cyclists and bike. The argument is a red herring and makes the cyclists look petty. The practical problem is a bell does not mount on a road bicycle or triathlon bicycle in a manner that makes it readily accessible when the cyclist is holding the handle bars.

Bikes like BMX and mountain don't need them due to not interacting with pedestrians. They can be incredibly easily be shot down. BMX bikes require bells at all times unless inside a BMX/Skate park. Mountain bikes are typically ridden to the trails. And runners can be on the trails.

Suggestion - Cyclists on shared use trails are required to yield to pedestrians. Cyclists shall make reasonable attempts to warn pedestrians prior to passing the pedestrian. Cyclists passing pedestrians with less than 2m clearance shall slow to 15kph. Note this applies around tight corners. Cyclists need to slow before corners they cannot see around.

Another note. The City should put a speed limit by the train bridge East side of the river along the trail.

You mention significant number of dooring - do you have statistics to capture that? (You are talking in vague terms, hard numbers strengthen the argument).

Other problem with the partial share use. Some motorists see the signs on the bridges saying cyclists need to yield to pedestrians and assume it means cyclists are not allowed on the road. Cyclists are allowed on the road on Broadway bridge, University bridge,...

Stunting - stunting should be prohibited except for a designated areas (ie BMX/skateboard parks). Skateboards and roller blades and bicycles should be limited if the operator does not have good control of the device the device. (I nearly hit a skateboard somebody lost control of and sent flying in front of me).

Loads. I like Oregon's rule. It requires full control of the bike. I would like it to say the cyclists should have 2 hands on the handle bars at most times.

Dismount to pass a pedestrian. What if the pedestrian is a runner and the cyclists is wearing cycling shoes with cleats. The cyclist will not be able to walk faster than the pedestrian. The rule is not thought out at all.

<name redacted for privacy>

Comment #17

Congratulations to Saskatoon Cycles re the recommendations to revise local cycling bylaws. The SC response is professional and impressively thorough and provides solutions that are reasonable and easy to implement. Well done. Hopefully the City of Saskatoon sees it this way too.

Wouldn't it be nice if all motorists and cyclists and pedestrians were more tolerant of each other?

<name redacted for privacy> (road biker and 12 month/yr commuter cyclist)

PS

In my experience the city does a great job of keeping the bike/pedestrian paths snow free, particularly the one I regularly use along 14th Street. They deserve recognition for this.

Comment #18

Dear Sir/Madam:

- A. Agree that requirement for mandatory bell/horn should be removed.
- B. Position on street: I like the quoted Ohio traffic law statement. The one-metre minimum passing requirement should be made mandatory and punishable (preferably in Provincial Law), which in effect would make it impossible for a vehicle to pass a bicycle within the lane (regardless of where the bike is positioned)! I often prefer to 'take the lane', especially the right lane on a multi-lane street and the left lane when turning left, and hope to expressly retain that right. I would also like to see it expressly permissible to ride two abreast within a lane. Good cycling manners suggest that undue blocking of other traffic is uncool. On the highway, self-preservation suggests riding as far right as practicable.

C. Where to ride should essentially be a speed issue. Riding slower than 5 km/hr should always be permissible on the sidewalk, while riding 5-25 km/hr could be on the bike lanes, and over 25 km/hr should be on the street. Since sidewalks must be safe for pedestrians and bikes can cause injury, cyclists must exercise caution on the sidewalk and shared paths. Riding on an empty sidewalk should always be permissible (while keeping in mind that people can suddenly appear from adjacent doorways and cross streets).

D. Stunting is an excellent way of improving one's cycling skills both on and off the street -- but not in traffic of course.

E. Unlimited passengers and freight should be allowed on any bike, keeping in mind that the RIDER (bike operator) is at all times RESPONSIBLE for the condition and performance of the bike, for the safety of the cargo (human and otherwise) and for innocent bystanders. Do also note that in The Netherlands several people ride casually on a bike with or without special seats (See 'Utrecht summer cycling 2014' on YouTube:

<https://www.youtube.com/watch?v=B3smPA17D8M>), and in San Francisco The Companion Bike Seat Company makes bike seats for adult passengers (<http://www.thebikeseat.com>), which thus accommodate two adults on a bike (<http://www.thebikeseat.com/contact.html>), so the practise might be legal there.

F. Loads. See above

G. Since cycles are classified as vehicles in law, they should always have the legal right to be on the street. See also my comments in 'C': Riding faster than 25-30 km/hr on a bike lane is unsafe for everyone, so these riders should ALWAYS be on the street. Slower riders should be encouraged to ride on the bike lanes for their own safety.

Perhaps the new Bicycle Bylaw should be very simple by containing very few mandatory rules and instead provide some guidance regarding desired outcomes and perhaps some suggestions and caution regarding behaviour.

Sincerely,

<name redacted for privacy>

Recommendation #1 (remove requirement for use of bell or horn)

- Concern expressed over theft of bells
- Passing slowly and with deference to pedestrians is more important
- Concern expressed over blind corners along Meewasin Trail
- It is enough that one must yield to pedestrians
- Concern expressed over design issues on Meewasin Trail and Train Bridge
- Use of bell should be an option
- A person's voice is less startling than a bell
- Education on bicycle courteousness is more appropriate
- Start education early; in Winnipeg they learn about cycling in Grade 4
- There is a double standard here and bicycles are not treated as equals on the roadway; you would not ask cars to honk whenever passing

Recommendation #2 (remove requirement to stay right)

- People on bikes have the legal right to bike down the centre of the lane
- People on bikes often need to "own the lane" or "take the lane" to ensure safety
- The *Highway Traffic Act* allows for people on bikes to be treated like any other road user
- People on bikes should be treated the same as any other slow moving vehicle

Recommendation #3 (implement mandatory passing distance)

- City buses are the worst for this
- A minimum passing distance indicates respect for people's right to bike on the road

Recommendation #4 (remove blanket prohibition against sidewalk cycling)

- There should be no riding on sidewalks even for children
- This is confusing on 14th and the ramp onto College Drive
- In many places the signage about shared use sidewalks is too high to be seen
- Concern expressed over sidewalks with driveways
- It is absurd to expect people to walk their bikes

Recommendation #5 (remove prohibition against stunting)

- Should simply specify no stunting when on the roadway
- Should more generally state that a bicycle must be operated in a safe fashion
- Concern expressed over inconsistent application of restrictions on stunting

Recommendation #7 (remove load restriction)

- Concern expressed that load restrictions would have differential impact on economically marginalized people who rely on bikes for activities such as collecting recyclables for refund

Recommendation #8 (remove requirement to use cycling lanes)

- The safety issue needs to be clarified as the city needs to keep these in safe condition
- The city needs to design and maintain lanes that people want to use rather than trying to force people into lanes they do not feel comfortable or safe in

Other miscellaneous comments

- The city should turn its mind to how the Bicycle Bylaw might interact with electric bikes and should leave options available for future technology changes
- The city should consider making “Idaho stops” legal as drivers in Saskatoon often expect people on bikes to do an Idaho stop rather than a full stop at a stop sign anyway
- The rule allowing for people to ride two abreast should be clarified as the language is currently confusing
- Lights should be part of education rather than made mandatory
- At night both a headlight and a rear light should be mandatory, rather than just a rear reflector
- An overall approach of “education and not legislation” should be adopted

WALKING SASKATOON (WS)



WALKING SASKATOON

**Submission
to the
City of Saskatoon
regarding
Bylaw No. 6884,
“The Bicycle Bylaw”**

May, 2018

About Walking Saskatoon

Walking Saskatoon was formed in 2016 to advocate on behalf of pedestrians on issues that affect their safety and enjoyment in walking the neighbourhoods of Saskatoon. Through meetings and social media¹, the group provides a forum for expressing concerns, sharing information, identifying relevant research, and proposing ideas that would enhance the walking experience. On the basis of these activities, Walking Saskatoon has also undertaken to represent the interests of pedestrians at events and on committees related to city planning, regulation and development, advocating on behalf of all pedestrians walking for a wide variety of purposes in all parts of the city. Currently Walking Saskatoon is in the process of incorporating as a non-profit organization.

The Need for a Bicycle Bylaw Update

There are now more cars in Saskatoon than there are people², and the number of people using bicycles and other wheeled conveyances is also growing. Since much of our transportation infrastructure was not designed for these numbers, one unintended consequence of Saskatoon's growth is the potential erosion of the comfort and safety of pedestrians. In the view of Walking Saskatoon, people of all ages and abilities should be able to feel secure as they walk along the streets of our city. Yet not only do pedestrians face increasing risks as they interact with car and bicycle traffic in crossing roadways, they now spend more time walking on designated shared pathways that may lack the optimal size, design and conditions to accommodate a large volume of cyclists and pedestrians. One need only look at the current unhealthy trend towards limiting the independent mobility of children³ to suspect that today's walking conditions are sometimes a deterrent to active transportation for many Saskatoon citizens, particularly those who are very young⁴, very old, disabled or frail⁵.

It is hard for Walking Saskatoon to quarrel with any measure that improves the safety of cyclists, who are undoubtedly at grave risk of collision with cars when riding on roadways. Nevertheless, we must point out that reliance on shared pathways puts pedestrians at greater risk of collision with cyclists, and perhaps just as important, has been known to create frustration and conflict between the two groups.⁶ In worst case scenarios, shared pathways have created pedestrian-cyclist conflict to the extent that they are less effective in encouraging active transportation.⁷

Ideally, the City of Saskatoon will work towards the provision of complete streets that will appropriately separate car traffic, cyclists and pedestrians⁸. Each mode of transportation has its own needs, and given the differences between cars, cyclists and pedestrians in terms of speed and range, they are generally safest and happiest when using spaces that are designed specifically for them⁹. However, we do not live in an ideal world, and Walking Saskatoon recognizes that today's shared pathways are a reality that is likely to dominate walking in Saskatoon for the foreseeable future.

If pedestrians and cyclists are to continue sharing spaces that are sometimes less than ideal, and if the volume of pedestrian and cycle traffic continues to grow, it is vital that adequate regulations, policies and educational programs be in place to guide the behaviour of those using shared pathways¹⁰. An update to Bylaw 6884 is clearly needed to lay out the rights and responsibilities of cyclists with respect to pedestrians. Moreover, the update must be followed by an educational initiative that ensures pedestrians and cyclists have the same knowledge and expectations from which to operate.

Provisions of Concern in Bylaw 6884

1. Passengers and Loads

Section 11 on Passengers and Section 12 on Loads are primarily concerned with ensuring that cycles are properly designed and equipped to operate safely under full control of the cyclist. The wide range of cycles now available offers many cycles that are able to convey passengers and loads safely even though they exceed the weight, width and other limitations imposed by Sections 11 and 12. It is reasonable, therefore, to relax the limitations and allow the use of new cycles designed to carry passengers and loads.

Having said that, however, it should be pointed out that one factor determining the potential for collisions between cyclists and pedestrians on shared pathways is the size of the path. Some converted sidewalks and foot paths are not ideal for shared use, providing little room for cyclists to pass or overtake other cyclists or pedestrians. Especially in Saskatoon, where pathways may be at least partially covered with snow, ice, water or sand, depending on the season, it can be difficult for pedestrians to make way for a large bicycle even when given due warning that they are about to be passed or overtaken. Being passed too close for comfort is a problem for pedestrians¹¹. When larger cycles carrying cargo or passengers appear on the pathways in greater numbers, this problem may be exacerbated. Cyclists riding such large cycles may be able to choose their routes to avoid narrow pathways, but if not, they may need to negotiate with pedestrians in order to get around them without creating discomfort, even dismounting in some circumstances.

2. Parks

Section 2 of Bylaw 6884 does not provide a definition of a “shared pathway” or “multi-use pathway.” It is left to Sections 14-19 on Parks, where these pathways are in use, to indicate how bicycles are expected to operate on shared pathways. Not all shared pathways are in parks, however, and there is a need for both cyclists and pedestrians to be

clear about expected behaviours at all times. An argument can therefore be made that the provisions regulating cyclist behaviour under Parks should be more explicitly applied to all pathways that have been designated with signs as “shared” or “multi-use.”

Although the park pathways and designated shared pathways are understood to be shared by cyclists and pedestrians, it is necessary to specify, as in Section 16, that cyclists shall yield to pedestrians. A cyclist moving at speed and colliding with a pedestrian can inflict injuries similar to those created in car-cyclist collisions¹². The onus must always be on cyclists to be aware of the danger they represent and moderate their speed to safe levels, not only when passing or overtaking other cyclists or pedestrians, but as a general rule.

It needs to be remembered that pedestrians include people of all ages and abilities, and they are often using pathways for recreational purposes. It should not surprise cyclists when they find groups of pedestrians on the pathway, e.g., an extended family on a walk or a day care group on an excursion. They may also encounter children playing or dogs whose behaviour is unpredictable; and they will frequently be passing people who are elderly, deaf, or have mobility problems. In addition, some encounters with pedestrians will inevitably occur on blind corners, intersections and driveways. If cyclists neglect to give pedestrians due consideration by riding shared pathways at appropriately moderate speeds, the potential for falls and collisions due to unforeseen circumstances increases markedly. Commuter or sports cycling, which can involve speeds of 25-50 km per hour¹³, is not appropriate on shared pathways used for recreation by pedestrians.

It may be time to go beyond the admonition to use “due care and attention” in Section 15 and the prohibition of an “immoderate rate of speed” in Section 19. Some researchers believe that cycling speeds on shared pathways should be no more than 10 km per hour to ensure pedestrian safety¹⁴. Efforts to set speed limits for cyclists are generally unenforceable, however, since there is no adequate way of measuring the speed of cycles, cycles are not equipped with speed indicators, the speed tolerance for shared pathways varies according to place and time of day, and cyclists tend to ignore signs posting speed limits anyway¹⁵. As a result, Walking Saskatoon does not recommend cycling speed limits in Saskatoon. Nevertheless, it does ask that the updated bylaw clearly communicate that pedestrians have priority on shared pathways so that the cycling community understands its responsibility to self-regulate cycling speeds to reflect that priority.

3. Use of horn or bell

Section 6 of Bylaw 6884 states that bicycles should be equipped with a horn or bell capable of emitting a sound for at least 35 metres. This section recognizes the inherent danger of collision when cyclists on a shared pathway pass or overtake pedestrians

without warning. The danger increases on blind corners and is greater if the cyclist is moving at higher speeds. In all situations, it is the responsibility of the cyclist to warn pedestrians a reasonable amount of time before passing or overtaking and to wait until the way is clear. What is a reasonable amount of time may differ according to the circumstances. Moreover, cyclists need to keep in mind that even an audible warning may not always suffice since pedestrians include people who are hard of hearing, particularly when there is a lot of background noise from traffic, crowds or the weather.

Ultimately, the way that a warning is given is less important than the obligation of cyclists to negotiate shared pathways in a way that ensures pedestrians are not startled, intimidated or harmed. Either the “yell” or the “bell” will work in giving an audible warning. Nevertheless, there may be merit in choosing a standardized sound that is immediately recognizable as a warning signal and promoting its use by all but a few cyclists who may be exempted, e.g., road or triathlon cyclists.

4. Sidewalks

Section 8 of Bylaw 6884 requires cyclists to use the roadway and thus prohibits cycling on sidewalks. We recognize that in Saskatoon, weather, water main breaks, road construction, accidents, and a multitude of other circumstances can render a road, bike lane or sidewalk hazardous or impassable at short notice. Under adverse circumstances that render the roadway or bike lane unsafe, it is reasonable for cyclists to ride on the sidewalk provided they proceed at pedestrian-friendly speed and give way to pedestrians.

Cyclists are most likely to ride on sidewalks when road cycling is poor¹⁶, perhaps due to winter conditions or the close proximity of cars. The emphasis therefore needs to be on making the roadways safe and comfortable for cyclists rather than divert those who are uncomfortable onto the sidewalks.

It is never appropriate for cyclists to use the sidewalk as an alternate route to the roadway or bike lane in order to maintain the highest possible speed or beat the traffic. Cyclists who abruptly leave the curb to ride on the road or bike lane, who move quickly onto sidewalks to take advantage of pedestrian walk lights, or who speed past driveways and building exits that are not designed for anyone moving past them that fast are engaging in dangerous behaviour. Such cyclists need to understand the multi-purpose nature of sidewalks and the multitude of unpredictable, potentially hazardous events that can occur there for anyone moving faster than pedestrian speed.

There is currently a problem for both pedestrians and cyclists in understanding where some sidewalks become a shared pathway and then stop being shared. Appropriate signage may help to alleviate that problem.

Each year about 50,000 children in Canada are injured in bike-related injuries, and children aged 5-14 account for about half of deaths from cycling injuries¹⁷. It is known that the brains of children under 14 are not yet capable of allowing them to operate bicycles in the complex environment provided by roadways and bike lanes¹⁸. At the same time, it is important to habituate children as early as possible to the advantages of active transportation, which include better health and closer connections within families and communities¹⁹. To encourage children to walk and cycle, an exception should be made to the prohibition against cycling on sidewalks to allow children under the age of 14 to ride on them while learning how to operate a bicycle safely. Special consideration should also be given to the needs of adult cyclists who supervise child cyclists while they are learning.

5. Bridges

Sections 20 and 21 allow cyclists to use the sidewalk portion of bridges, treating them much like shared pathways although cyclists are required to dismount and walk their cycles past pedestrians whom they are overtaking. This permission for cyclists to use bridge sidewalks reflects the importance of these routes crossing the river, which are used frequently by cars, buses, cyclists and pedestrians.

Unfortunately, not all of Saskatoon's bridges have sidewalks that were designed as shared pathways. The sidewalks on the University, Broadway and Sid Buckwold bridges are on the narrow side, and in seasons of the year when snow, ice, rain water or gravel accumulate on the sidewalks, they are narrowed even more. At times it is just barely possible for a cyclist to ride past a pedestrian, and many pedestrians would be uncomfortable with the closeness of the encounter. Some feel obliged to stop walking and move up against the bridge railing until the cyclist has gone by. Moreover, it should be noted that traffic can be heavy and steady on these bridge sidewalks, necessitating frequent meetings between pedestrians and cyclists.

Cyclists see no problem in taking charge of a lane on the roadway and expecting cars to follow them until it is safe to overtake them. In the same way, it is not unreasonable for pedestrians to expect cyclists on sidewalks to dismount and negotiate a way around them that is not too close for their comfort and safety. Although experience has shown that making it mandatory for cyclists to dismount tends to be another unenforceable regulation that cyclists often ignore²⁰, there may still be merit in reinforcing in bylaw the responsibility of cyclists to dismount rather than risk intimidating pedestrians by passing too close.

Recommendations from Walking Saskatoon

1. The heading for Sections 14-19 should be changed to indicate that these provisions apply to shared pathways as well as parks.
2. On shared pathways a cyclist shall either dismount to cross intersections on pedestrian crosswalks or approach and ride across them at pedestrian speed.
3. Any cyclist on a shared pathway shall alert anyone about to be overtaken with an audible warning a reasonable amount of time before overtaking, and any cyclist approaching a blind corner on a shared pathway shall alert anyone around the corner with an audible warning a reasonable amount of time before turning the corner.
4. A person shall not ride a bicycle on a sidewalk except where:
 - a. The sidewalk has been designated by signs as a shared pathway;
 - b. The roadway or bike lane that the cyclist is expected to ride has become unsafe and the cyclist is proceeding at pedestrian speed; or
 - c. The cyclist is a child under the age of 14.
5. When passing or overtaking pedestrians on sidewalks or shared pathways, including those on bridges, cyclists who might startle or intimidate the pedestrians due to large loads or narrow passing room, shall dismount and negotiate a safe way around the pedestrians.

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THE Saskatoon and District Safety Council has undertaken to review the Project Report Draft Bicycle Bylaw Components & Discussion from our point of view as expressed earlier "Saskatoon and District Safety Council Stressed need for conformity with TSA".

We thank the author for an in depth look at the present status and as well as presenting ideas for updating the bylaws related to bicycles in Saskatoon.

Again, we stress the point of view of our
STAKEHOLDER ENGAGEMENT

Saskatoon and District Safety Council Stressed need for conformity with TSA

DEFINITIONS

Problem areas:

1) "Bicycle" means any muscular propelled, chain-driven wheeled device in, on, or by which a person is or may be transported or drawn.

a) By definition bicycle means "two" and we have three wheels on pedaled vehicles used by many seniors.

b) There are belt driven bicycles as well as chain driven.

OPERATION

12) must give a signal by hand and arm prior to turning in the following manner: a) when making a left-hand turn, by extending the left arm horizontally. b) when making a right-hand turn, by extending the left arm bent vertically upwards, **or by extending the right arm horizontally**

Using the right arm contravenes the Traffic Safety Act Section 234(2)(b) **to turn right, to turn out to the right from a stationary position at the side of the highway or to drive to the right from one traffic lane to another, by extending the driver's left arm from the shoulder to the elbow horizontally and from the elbow to the hand vertically upwards;**



BRIDGES

In traversing any bridge or river crossing, a person operating a bicycle may: 1) use that portion of the bridge or river crossing as is intended for the passage of motor vehicles; or, 2) use the sidewalk portion of any bridge or river crossing as a Shared-Use Path.

I am very concerned about the plan to allow bicycles to use the regular traffic lanes on all of the city bridges with the exception of the ones on Schedule A. If they go ahead with this, I can see at the least significant traffic problems on those bridges and at worst, injuries or deaths of cyclists in heavy traffic.

Nowhere do I see anything about obstruction of traffic where a cyclist decides to use a traffic lane instead of a bicycle lane or shared pathway.

Submitted by (name withheld for privacy reasons).

6 CYCLE TRACKS

A person using a Motorized Mobility Aid (MMA) may use a cycle track if the rules of the road and this bylaw are followed.

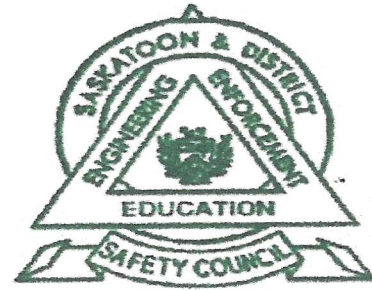
As a Motorized Mobility Aids are considered extensions of the pedestrian, they are to travel on the left of the highway facing traffic and as such they would be in contravention of the TSA if they are travelling on the right. As many of these MMA are difficult to control when they are using the sidewalk and come to an alley which is sloped toward the street, the riders prefer travelling on the street facing traffic.

Section 228(1) of the provincial Traffic Safety Act addresses the rules of the road regarding traffic lanes: Page 26 Draft Bylaw states:

Motorists do, however, overtake people cycling while in the same lane. The TSA stipulates that cyclists ride as "close as is reasonably practicable to the right hand curb" so as to allow people driving to pass.

After checking The Traffic Safety Act we were unable to find the above quote. A request was made to the author of the Draft Bylaw to clarify from where in the Traffic Safety Act the quote was taken. At this time no response has been received.

Unfortunately as no response has been received answering our request, we can only assume that the author has not had time to reply. It would be difficult to believe that the quote is not true.



7 MOTORIST OVERTAKING A PERSON RIDING A BICYCLE

Every person in charge of a motor vehicle who is overtaking a person travelling on a bicycle on a street with one traffic lane in the direction of travel, shall, as nearly as may be practicable, leave a distance of not less than one meter between the bicycle and the motor vehicle and shall maintain that distance until safely past the bicycle. The one-meter distance required refers to the distance between the extreme right side of the motor vehicle and the extreme left side of the bicycle, including all projections and attachments.

*As a bicycle is a vehicle(non-motorized), it is entitled to use the highway, there fore, the driver is entitled to the lane in which it is travelling. To place a one - metre minimum distance from the bicycle is much too small. Being passed by a transit bus or semi- trailer at 60 kph **with only 1 metre of space is not safe.***

SIDE-BY-SIDE COMPARISON: NEW & CURRENT

12) must give a signal by hand and arm prior to turning in the following manner: a) when making a left-hand turn, by extending the left arm horizontally. b) when making a right-hand turn, by extending the left arm bent vertically upwards, or by **extending the right arm horizontally.**

Already mentioned as contravening Traffic Safety Act.;

Power-assisted Bicycle

247(1) No person shall drive a power-assisted bicycle on a highway unless: (a) that person is 14 years of age or older; (b) that person and any passenger are wearing, in the prescribed manner, a helmet that meets the prescribed specifications; and (c) the power-assisted bicycle meets the prescribed equipment and safety standards required for the operation of that power-assisted bicycle.



HELMETS

11 HELMETS Proposed Bylaw: • None, but the City will continue to recommend helmet use by all cyclists and passengers and encourage provincial legislation for cyclists under 18 years of age.

Although the Saskatoon and District Safety Council made no mention of Helmet use in our Stakeholder Engagement, we must emphasize that from a point of SAFETY the use of helmets for all cyclists should be mandatory. **As stated by many of the other Stakeholders, Saskatoon could be a shining light in making helmet use mandatory.**

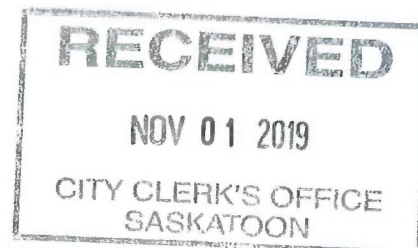
Section 247 of the provincial Traffic Safety Act addresses the rules regarding power assisted bicycles: 247(1) No person shall drive a power-assisted bicycle on a highway unless: (a) that person is 14 years of age or older; **(b) that person and any passenger are wearing, in the prescribed manner, a helmet that meets the prescribed specifications;** and (c) the power-assisted bicycle meets the prescribed equipment and safety standards required for the operation of that power-assisted bicycle.

As helmets are necessary for power assisted bicycles (see above) then it seems obvious that all cyclists should wear a helmet. The members of the bicycle patrol of the Saskatoon Police Service wear helmets for their own protection.

The above information has been submitted
by members of the Saskatoon and District Safety Council
and compiled by:

Al Reichert
Traffic Committee Chair
Saskatoon and District Safety Council
September 18, 2019

From: Benjamin Ralston <[REDACTED]>
Sent: Friday, November 1, 2019 3:45 PM
To: City Council
Subject: Form submission from: Write a Letter to Council
Attachments: ltr_ralston_2019-11-01.pdf



Submitted on Friday, November 1, 2019 - 15:44

Submitted by anonymous user: 128.233.10.39

Submitted values are:

Date Friday, November 01, 2019

To His Worship the Mayor and Members of City Council

First Name Benjamin

Last Name Ralston

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City Saskatoon

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Postal Code S7M [REDACTED]

Name of the organization or agency you are representing (if applicable)

Subject Bicycle Bylaw Update - Proposed Revisions

Meeting (if known) SPC on Transportation (November 4, 2019)

Comments

I am not able to attend the upcoming meeting of the Standing Policy Committee on Transportation in person so I have prepared a short written submission in support of Ms. Melchiorre's August 2019 Project Report in the attached letter.

Attachments

ltr_ralston_2019-11-01.pdf

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/347166>



Benjamin Ralston
[REDACTED] Avenue E South
Saskatoon SK S7M [REDACTED]

November 1, 2019

Office of the City Clerk
222 3rd Avenue North
Saskatoon SK S7K 0J5

Re: November 4th Agenda Item: Bicycle Bylaw Update – Proposed Revisions

Dear Members of the Standing Policy Committee on Transportation:

I write to express my enthusiastic and unqualified support for the recommendations set out within the August 2019 Project Report prepared by Ms. Marina Melchiorre regarding an update to the City of Saskatoon's Cycling Bylaw.

I assisted Saskatoon Cycles with its own submissions in support of reform to the existing Cycling Bylaw. Among other things, I supervised the initial research of a law student (Mr. Scott Silver) on this project, I supplemented Mr. Silver's work, I prepared a full draft submission from it, and I assisted during a consultation process with the Saskatoon Cycles' members to elicit further input. The final product is an attachment to Ms. Melchiorre's own detailed report. Several of Saskatoon Cycles' recommendations to the City are not reflected in Ms. Melchiorre's report and I still stand behind the recommendations on behalf of Saskatoon Cycles and the painstaking research on which they were based.

Nevertheless, I wish to wholly endorse Ms. Melchiorre's own report as it proposes balanced and politically feasible recommendations for updates to a bylaw that is out-of-date, confusing, and illogical in many respects. The length of Ms. Melchiorre's report reflects the depth of reflection, research, and community engagement that went into its preparation. Most of its proposed amendments are dictated by basic common sense and should provoke little controversy from the public. However, two of its most significant elements do appear to be eliciting some level of controversy so I wish to address them in detail with the remainder of this submission.

One-meter minimum passing distance

The inclusion of a one-meter passing distance in the proposed amendments appears to be one of its more controversial recommendations. Yet this clearly falls in line with the best practices that have emerged in North America and internationally. In the Saskatoon Cycles submission it was pointed out that a majority of states in the US (28) had put in place legislated minimum passing distances of two feet or greater at the time of writing. It appears that minimum passing distances of three feet or greater are now legislated in at least 32 states: Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Mississippi,

Nebraska, Nevada, New Hampshire, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Virginia, Utah, West Virginia, Wisconsin, Wyoming, and DC.

The Saskatoon Cycles submission also pointed out that either the same (one-meter) or a greater minimum passing distance had been legislated by most states in Australia, as well as several countries in Europe. Yet in Canada, only Ontario and Nova Scotia had legislated minimum passing distances when the Saskatoon Cycles submission was being researched and drafted. I wish to point out that a legislated minimum passing distance of one meter or more now exists in a majority of Canadian provinces: namely, Ontario, Quebec, Nova Scotia, Prince Edward Island, New Brunswick, and Newfoundland and Labrador. The City of Calgary has also very recently implemented the same minimum passing distance.

There is good reason for such a rapid adoption of a minimum passing distance across the globe. Motorists have been found to be at fault in the majority of bicycle-motor vehicle crashes (57%), passing too closely is the most common incident type (40.7%), and studies in the UK and Australia have found that 13-15% of all fatal bicycle crashes involved motorist sideswipes (see Debnath et al, "Factors influencing noncompliance with bicycle passing distance laws" (2018) 115 *Accident Analysis and Prevention* 137 at 137). The City of Saskatoon can feel confident that making this amendment will not only reflect a best practice, it may well save lives.

It is also important to bear in mind that this amendment is best characterized as a *clarification* of the law rather than the imposition of some radical new requirement on those operating motor vehicles in Saskatoon. Provincial law already prohibits driving a vehicle "without reasonable consideration for other persons" (see section 44(2) of *The Highway Traffic Act, 1996*). Motorists can already be charged if they overtake a cyclist at an unsafe distance on the basis that doing so amounts to driving without reasonable consideration for others (see for example *R v Perret*, 2016-12-01SCPPerretJ (Sask. Prov. Ct.) [unreported]). And in jurisdictions where a minimum passing distance has yet to be legislated, insurance bodies still often refer to this same distance in their guidance to drivers (see for example, Manitoba Public Insurance, "Motorists encouraged to leave one-meter distance when passing a cyclist" (22 June 2017): <<https://www.mpi.mb.ca/Pages/nr2017june22.aspx>>). At this time, it cannot be said with any certainty that overtaking cyclists with less than one-meter of clearance in Saskatoon is in fact legal. Legislating a minimum one-meter passing distance will make it clearer for all road users that it is *not* legal.

No mandatory helmet provision

Another aspect of Ms. Melchiorre's report that may be controversial is the absence of any recommendation in support of making helmet use mandatory for adults. I wish to quickly outline a few key reasons why I think the City of Saskatoon should accept this position and not make helmet use mandatory in this bylaw.

First of all, several studies have indicated that mandatory helmet laws may not be effective at reducing head injuries (see for example: Kay Teschke et al, "Bicycling injury hospitalisation rates in Canadian jurisdictions: Analyses examining associations with helmet legislation and mode share" (2015) *BMJ Open* 5; Jessica Dennis et al, "Helmet legislation and admissions to hospital for cycling related head injuries in Canadian provinces and territories: Interrupted time series analysis" (2013) *BMJ Open* 346; Sara Markowitz & Pinka Chatterji, "Effects of bicycle helmet laws on children's injuries" (2015) *Health Economics* 24).

Second, there is evidence to suggest mandatory helmet laws can discourage cycling (see Christopher Carpenter & Mark Stehr, "Intended and unintended consequences of youth bicycle helmet laws" (2011) 54:2 *Journal of Law and Economics* 305). They may be promoting an unjustified impression that cycling is dangerous when we may well face a greater statistical risk of injury when climbing a ladder or getting into a bath (see Elizabeth Rosenthal, "To Encourage Biking, Cities Lose the Helmets" (29 September 2012) *New York Times*). This in turn can mean that even if such a law is effective at decreasing rates of head injuries, it can also decrease physical activity levels so as to eliminate any net public health benefit (see Piet de Jong, "The Health Impact of Mandatory Bicycle Helmet Laws" (2012) *Risk Analysis* 32).

Third, an emphasis on helmet use can be seen as "victim-blaming" and a distraction from more evidence-based approaches to improving cycling safety such as the creation of integrated networks of cycling infrastructure. For example, one recent publication likens the "helmet fixation" in North America to a debate over whether making bullet-proof vests mandatory for city-dwellers would reduce the severity of gun violence in US cities. While such a mandatory vest law could very well reduce deaths and serious injuries, "this would implicitly accept gun violence as inevitable, rather than seeking to stop people from being shot in the first place" (Greg Culver, "Bike helmets – a dangerous fixation? On the bike helmet's place in the cycling safety discourse in the United States" (2018) *Applied Mobilities*).

Fourth, there is some evidence to suggest that helmet use communicates a false sense of security to cyclists and drivers alike, causing the former to engage in riskier behaviours on their bikes and the latter to engage in riskier behaviour when overtaking cyclists on the road. According to one commentator, this may be why a compulsory helmet policy in Australia (which has since been abandoned) led to a dramatic *increase* in cycling injury rates (see David Pimentel, "Cycling, Safety, and Victim-Blaming: Towards a Coherent Public Policy for Bicycling in 21st Century America (2018) 85 *Tennessee Law Review* 753 ["Pimentel"] at 784-785).

Finally, mandatory helmet laws create financial and practical barriers to cycling in general, as well as specific programs like the bike-sharing facilities now available in major cities across the globe (see Pimentel at 783). This financial and practical barrier will be of particular concern to low income residents of Saskatoon who rely on bicycles as a form of safe and affordable transportation.

With all due respect to those holding contrary views, I believe that Ms. Melchiorre's report strikes the right balance by recommending that helmet use be encouraged by the City but without making helmet use mandatory through an amendment to the Cycling Bylaw.

Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Ralston", written in a cursive style.

Benjamin Ralston, BA, JD, LLM, PhD (candidate)

Subject: FW: SPC ON TRANSPORTATION - BICYCLE BYLAW - NOVEMBER 4, 2019
Attachments: D26749E8-78E0-465B-9D8E-994DD3B291B2.jpeg

From: Randy [<mailto:randy@riversdale.ca>]
Sent: November 04, 2019 7:28 AM
To: Web E-mail - City Clerks <City.Clerks@Saskatoon.ca>
Cc: 'Randy' <randy@riversdale.ca>; 'Riversdale Communications' <communications@riversdale.ca>
Subject: SPC ON TRANSPORTATION - BICYCLE BYLAW - NOVEMBER 4, 2019

GOOD MORNING CITY CLERKS STAFF:
WOULD YOU PLEASE INCLUDE THIS EMAIL FOR THE SPC ON TRANSPORTATION FOR THE 2:00 PM MEETING TODAY.

STANDING POLICY COMMITTEE ON TRANSPORTATION
MONDAY, NOVEMBER 4, 2019 AT 2:00 PM
7.2.1 BICYCLE BYLAW UPDATE
PROPOSED REVISIONS (FILES CK 5300-5-2, X6000-5)

**"REVIEW AND UPDATE BICYCLE
BYLAW NO. 6884 TO ENSURE THAT IT REFLECTS BEST PRACTICE."**

COULD CITY COUNCIL PROVIDE ASSURANCES THAT THE BEST PRACTICE BEING PROPOSED REGARDING ALLOWING BIKES BEING RIDDEN ON SIDEWALKS TO ALLOW PATRONS, SENIORS AND PEDESTRIANS IN THE RBID THE PREDICTABLE EXPECTATION OF EXITING DOORWAYS AND NOT BEING STRUCK BY SOMEONE, REGARDLESS OF AGE, ON A BICYCLE (OR SKATEBOARD) THAT CAN RESULT IN HARM AS WE ARE WITNESSING IN ADVANCE OF UPDATING BYLAW 6884.

**"RESERVATIONS WERE RAISED ABOUT SIDEWALK RIDING
RELATED TO NARROW INFRASTRUCTURE, COURTESY, AND INCREASING CYCLIST VOLUMES: HOWEVER, THE
PROPOSED REVISION WAS SUPPORTED."**

WHAT MEANS OF ENFORCEMENT WILL THE CITY IMPLEMENT TO ENSURE PEDESTRIANS ARE SAFE ON SIDEWALKS,
WHEN EXISTING EDUCATION EFFORTS ARE INSUFFICIENT AND POLICE ARE NOT ENFORCING WHAT ALREADY EXISTS?

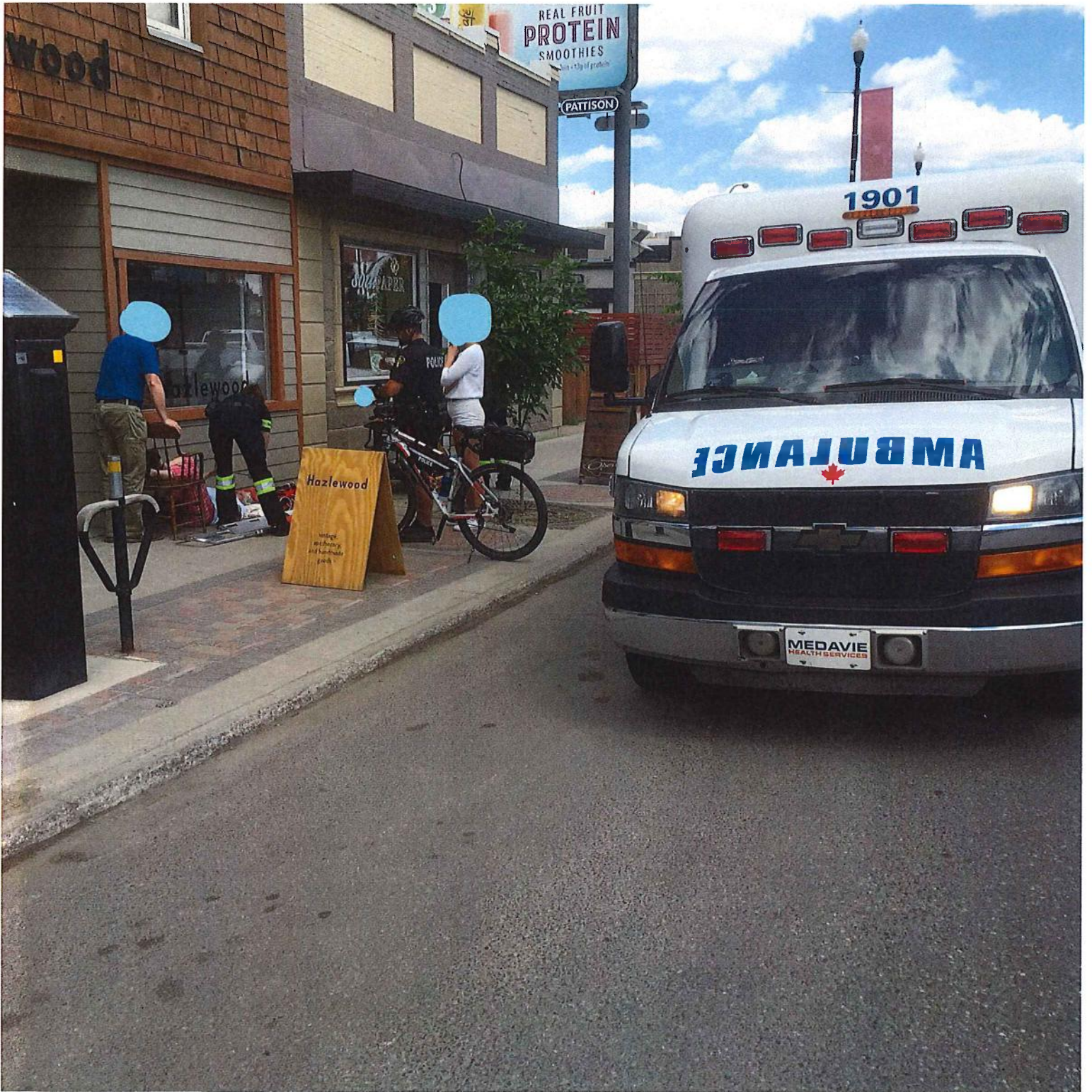
ATTACHED IS A PHOTO OF A SENIOR CITIZEN WHO EXITED A BUILDING IN THE 100 BLOCK OF 20TH STREET WEST, WAS STRUCK BY A YOUTH ON A BICYCLE, RESULTING IN KNOCKING HER DOWN AND BREAKING HER HIP. A SIMILAR INCIDENT HAPPENED WITH A CUSTOMER EXITING A BUSINESS IN THE 300 BLOCK OF 20TH STREET WEST, SUSTAINING INJURIES FROM BEING STRUCK BY SOMEONE ON A BICYCLE

THANK YOU,
RANDY PSHEBYLO

Randy Pshebylo; BDM, Executive Director
RIVERSDALE BUSINESS IMPROVEMENT DISTRICT
344 20th Street West, Saskatoon, SK, Canada, S7M 0X2
[Facebook](#) | [Twitter](#) | [Web](#) | P 306.242.2711 | F 306.242.3012



it's happening, be part of it!



Thompson, Holly

From: Randy Pshebylo <randy@riversdale.ca>
Sent: Monday, November 18, 2019 7:45 AM
To: City Council
Subject: Form submission from: Write a Letter to Council

Submitted on Monday, November 18, 2019 - 07:44

Submitted by anonymous user: 174.2.249.79

Submitted values are:

Date Monday, November 18, 2019
To His Worship the Mayor and Members of City Council
First Name Randy
Last Name Pshebylo
Email randy@riversdale.ca
Address 344 20th Street West
City Saskatoon
Province Saskatchewan
Postal Code S7M 0X2
Name of the organization or agency you are representing (if applicable) Riversdale Business Improvement District
Subject Bicycle Bylaw Update
Meeting (if known) City Council Meeting Monday, November 18, 2019
Comments
The Executive Director of the Riversdale Business Improvement District respectfully requests to speak to item 10.1.1 Bicycle Bylaw Update - Proposed Revisions [Files CK 5300-5-2, x6000-5] at the City Council Meeting Monday, November 18, 2019.

Attachments

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349526>

From: Web E-mail - City Clerks
Sent: Monday, November 18, 2019 10:11 AM
To: Sproule, Joanne; Thompson, Holly
Subject: FW: Motion to allow some bicycles on city sidewalks

-----Original Message-----

From: Brian Smith [mailto:[REDACTED]]
Sent: Sunday, November 17, 2019 12:12 PM
To: Web E-mail - City Clerks <City.Clerks@Saskatoon.ca>
Subject: Motion to allow some bicycles on city sidewalks

Submitted on Sunday, November 17, 2019 - 12:12

Submitted by user: Anonymous

Submitted values are:

==Your Message==

Service category: City Council, Boards & Committees

Account Number:

Subject: Motion to allow some bicycles on city sidewalks

Message:

I strongly urge City council to consider an easy-to-overlook aspect that I and others are greatly concerned about with respect to the possible allowance of cyclists to age 14 and inclusive permission to ride on the sidewalks. The group of sidewalk users I am referring to are people with diminished or complete hearing loss. Bells or shout-outs as cyclists approach do not work. In my opinion sidewalks should be the safe walking zone of pedestrians—and pedestrians only.

Thank you for your thoughtful consideration as you make your decision.

Brian Smith

Attachment:

==Your Details==

First Name: Brian

Last Name: Smith

Email: [REDACTED]

Confirm Email: [REDACTED]

Neighbourhood where you live: Buena Vista

Phone Number: [REDACTED]

For internal use only :

Allowable Expenses for Engagement Activities

ISSUE

What are allowable expenses for engagement related activities for the City of Saskatoon?

BACKGROUND

City Council, at its meeting held on October 23, 2017, considered a report of its Governance and Priorities Committee approving additional allowable meeting expenses to City Council's Communications and Constituency Relations Policy (C01-027).

At its meeting, City Council resolved:

“that the Administration report back on the present use, eligibility, and consideration of these expenses in other engagement-related budgets such as those of Council and Advisory Committees, neighbourhood or city-wide engagements and issue-specific engagements; and that the report consider transportation, interpretation, childcare, and 1st voice support among other related engagement supports.”

CURRENT STATUS

City Council, at its meeting held on July 29, 2019, approved the new Public Engagement Policy (C02-046) which came into effect on September 1, 2019. The new, modern framework for public engagement is strategic, focuses on outcomes, and brings consistency to how the City approaches public engagement across the organization. The policy applies to all City of Saskatoon Departments and Offices.

In addition, Administrative Procedures have been developed to guide the implementation of public engagement.

DISCUSSION/ANALYSIS

The new Public Engagement Policy C02-046 outlines the approach to public engagement and aligns with 7 guiding principles of which one is “Inclusivity”. This principle ensures engagement processes are designed in a way that promote and allow for adequate community contributions while building relationships with a diverse group of stakeholders. An important consideration as it relates to inclusivity is to ensure engagement opportunities are designed in a way that are accessible for residents and stakeholders.

In order to achieve this principle, the Administrative Procedures include a process whereby when a project begins the team will identify the audience along with any risks including, but not limited to, accessibility barriers such as:

- Transportation
- Child care

Allowable Expenses for Engagement Activities

- Accessible and safe meeting spaces (i.e. location)
- Food
- Interpretation service

Once accessibility barriers are identified, appropriate mitigation options are identified as part of the engagement strategy and are incorporated into the corresponding work plan and project budget.

The costs attached to addressing accessibility barriers are both allowable and appropriate if the risk is real and has the ability to impact the principle of inclusivity. Furthermore, these costs are appropriate for any area where local governments interact with residents and stakeholders including governments, policy and program development and service responsiveness and efficiency.

IMPLICATIONS

There are no financial, legal, social or environmental implications resulting from this report. The costs associated to address accessibility barriers and ensure inclusivity are part of existing budgets.

NEXT STEPS

There are no further steps required.

Report Approval

Written &

Reviewed by: Carla Blumers, Director of Communications & Public Engagement

Approved by: Dan Willems, Interim Chief Strategy & Transformation Officer

Admin Report - Allowable Expenses for Engagement Activities.docx

City of Saskatoon/University of Saskatchewan – Memorandum of Understanding – Research Connections Update

ISSUE

This report provides an update on the work of the Research Connections task team which has been established under the Memorandum of Understanding between the City of Saskatoon (City) and University of Saskatchewan (USask).

BACKGROUND

On February 27, 2018, the City and USask executed a formal Memorandum of Understanding which purpose was to better define each party's current areas of engagement, and areas of current or future collaboration, including a process through which each party may identify and commit to work collaboratively on current or future engagements.

A working group consisting of senior leaders from the City and USask was initially established in 2017, and meets quarterly to discuss areas of strategic engagement and collaboration. Task teams have been established to provide oversight and coordination of activities within various areas of focus, including: Reconciliation Initiatives, Infrastructure & Land Development, Research Connections, Student Engagement, Student Life, and Climate Change.

The purpose of the Research Connections task team is to foster collaborations between the City and USask through an increase in the number, breadth and impact of research-focused partnerships to address community needs in Saskatoon.

In its 2019 Business Plan and Budget, City Council approved Project 2625 for \$50,000 to provide resources towards a pilot program to achieve success in research collaboration.

CURRENT STATUS

The Research Connections task team developed the Research Junction development grant program to create opportunities for collaboration through a development grant competition, data sharing, partnership development and support for research opportunities.

DISCUSSION/ANALYSIS

The Research Junction program launched on September 11, 2019. The program will involve research teams including at least one USask researcher and one City staff member working together to address community needs around issues that include urban planning, reconciliation, transit, environmental sustainability, and youth issues.

The 2019 development grant funding consists of \$50,000 from the City and \$50,000 from USask, and is intended to be allocated through a grant competition. The grant application deadline was November 1, 2019. Up to six grants of \$10,000 to \$30,000 each are planned to be awarded to projects that support the City's Strategic Goals and contribute to making Saskatoon a great place to live, work, learn and play. Projects must be completed within 18 months.

In December, the grant award committee will be assembled to review the applications and make their award selections. The committee will include a City and USask representatives.

FINANCIAL IMPLICATIONS

Funding for the pilot program is already in place. For future years, annual funding of \$50,000 from the reserve for capital expenditures (RCE) is included in the 2020 and 2021 proposed Business Plan and Budget package for a total of \$100,000 over the next two years. USask will consider their contribution during their budget process, and it is generally understood that if either partner chooses not to fund their portion of the program, this specific program would not continue. Similarly, even if funding is put in place in 2020 and 2021 by both parties yet the pilot is not deemed a success, the funds would be returned to their respective agencies. No additional permanent full-time employee equivalents are associated with this capital funding option.

IMPLICATIONS

There are no legal, social, or environmental implications directly associated with this report. Implications associated with research projects approved under the development grant program would be detailed in subsequent update reports.

NEXT STEPS

The next step in this initiative is for the funding request to continue the development grant program over the next two year to be considered during the 2020/21 Capital Budget deliberations.

Report Approval

Written by: Dan Willems, Interim Chief Strategy & Transformation Officer
Reviewed &
Approved by: Jeff Jorgenson, City Manager

Admin Report - City of Saskatoon/University of Saskatchewan – Memorandum of Understanding – Research Connections Update.docx

Bryant, Shellie

From: Zink, Laura <laura.zink@usask.ca>
Sent: November 17, 2019 6:58 PM
To: Bryant, Shellie
Cc: Willems, Dan
Subject: Re: Form submission from: Write a Letter to Council

Hi Shellie.

Yes – I would like to speak to item 10.6.2 regarding the request to appoint a councillor to the Research Junction selection.

Thank you.

Laura

From: "Bryant, Shellie" <Shellie.Bryant@Saskatoon.ca>
Date: Friday, November 15, 2019 at 1:54 PM
To: Laura Zink <laura.zink@usask.ca>
Subject: RE: Form submission from: Write a Letter to Council

CAUTION: This email originated from outside of the University of Saskatchewan. Do not click links or open attachments unless you recognize the sender and know the content is safe. If in doubt, please forward suspicious emails to phishing@usask.ca

Hi Laura. Are you wanting to speak to Council on Monday regarding the request for appointment of a Councillor? Your email is not clear to me.

Shellie Bryant | tel 306-975-2880

Deputy City Clerk, City Clerk's Office
City of Saskatoon | 222 3rd Avenue North | Saskatoon, SK S7K 0J5
shellie.bryant@saskatoon.ca
www.saskatoon.ca

Connect with us on Twitter and Facebook

*If you receive this email in error, please do not review, distribute or copy the information.
Please contact the sender and delete the message and any attachments.*

From: Laura Zink [mailto:laura.zink@usask.ca]
Sent: November 15, 2019 1:30 PM
To: City Council <City.Council@Saskatoon.ca>
Subject: Form submission from: Write a Letter to Council

Submitted on Friday, November 15, 2019 - 13:29

Submitted by anonymous user: 128.233.5.176

Submitted values are:

Date Friday, November 15, 2019

To His Worship the Mayor and Members of City Council

First Name Laura

Last Name Zink

Email laura.zink@usask.ca

Address 1607-110 Gymnasium Place

City Saskatoon

Province Saskatchewan

Postal Code S7N 0W9

Name of the organization or agency you are representing (if applicable) University of Saskatchewan

Subject Research Junction - Research Connections

Meeting (if known)

Comments Council

Attachments

The results of this submission may be viewed at:

<https://www.saskatoon.ca/node/398/submission/349325>

2017 Contract Negotiations (2017-2019) Amalgamated Transit Union No. 615

ISSUE

The purpose of this report is to provide information in respect of collective bargaining with the Amalgamated Transit Union (ATU) Local No. 615 and seek approval of a thirty-three (33) month agreement, expiring December 31, 2019.

The City and ATU 615 have reached a tentative Memorandum of Agreement on November 1, 2019, ratified by the Union on November 4, 2019.

RECOMMENDATION

1. That the proposed changes set out in the Revision to the Collective Agreement (Attachment 1) with respect to the 2013-2017 Collective Agreement with the Amalgamated Transit Union, Local No. 615 be approved; and
2. That His Worship the Mayor and the City Clerk be authorized to execute the revised contract under the Corporate Seal.

BACKGROUND

The Amalgamated Transit Union, Local No. 615 and the City began collective bargaining on September 13, 2017 and the parties reached a Tentative Agreement on November 1, 2019.

DISCUSSION/ANALYSIS

The term of the agreement is for thirty-three (33) months, for the period April 1, 2017 to December 31, 2019. Terms of the new collective agreement include:

1. The following wage adjustments:
 - December 1, 2017 0.50%
 - July 1, 2018 1.50%
 - July 1, 2019 1.75%
2. Improvements to annual vacation pay for employees with greater than 16 years' of service.
3. Introduction of a \$0.25/hr. night premium for employees who work after 9:00 p.m.
4. Improved differential pay for maintenance staff by \$0.10/hr.
5. Commitment by the parties to meet and review of the spareboard (dispatch) rules within 60 days of ratification
6. The premium paid for employees who hold a Professional Bus Operator Certification will be included in the base wage.

7. Compensation Review for Office Staff and Customer Service prior to the next round of collective bargaining.

Attachment 1, The Amalgamated Transit Union, Local 615, Revisions to the Collective Agreement dated November 5, 2019, identifies the wage adjustments and other Collective Agreement changes in more detail.

IMPLICATIONS

The recommendation falls within the fiscal mandate approved by City Council for the renewal of its collective agreement with City of Saskatoon Unions and Associations.

NEXT STEPS

Implementation will occur after approval by City Council.

APPENDICES

1. Revision to the Collective Agreement identifies the wage adjustments and other Collective Agreement changes in more detail.

Report Approval

Written by:	Marno McInnes, Director Labour Relations
Reviewed by:	Sarah Cameron, Chief Human Resource Officer
Approved by:	Jeff Jorgenson, City Manager

Admin Report - 2017 Contract Negotiations (2017-2019) Amalgamated Transit Union No. 615.docx

The Amalgamated Transit Union, Local No. 615
Revisions to the Collective Agreement
November 5, 2019

Negotiations between the City and ATU Local 615 started on September 13, 2017 and a Tentative Agreement was reached on November 1, 2019. The contract is for a term of thirty-three (33) months from April 1, 2017 to December 31, 2019.

1. Wages

- The following wage adjustments will be applied:

December 1, 2017	0.50%
July 1, 2018	1.50%
July 1, 2019	1.75%

2. Term

- The term of the agreement is for thirty-three (33) months. The term is for the period April 1, 2017 to December 31, 2019.

3. Collective Agreement Changes

a) Article A8 – Annual Vacation

- The annual vacation provision entitles a minimum of 12% of Operator to be on vacation leave during prime vacation time (June 1 to August 31). The exception to this was management's right to determine the number of annual vacation leaves permitted during Exhibition Week. Due to changes in service demand the parties agreed to replace Exhibition Week with FolkFest.
- The parties agreed to improve vacation pay entitlements for employees with greater than 16 years' of service. Employees with greater than sixteen (16) years' of service, who are entitlement 5 weeks' vacation, will now receive vacation pay based 5/52 of their gross annual income. Employees with greater than twenty-four (24) years' of service, who are entitlement 6 weeks' vacation, will now receive vacation pay based 6/52 of their gross annual income. This entitlement is effective for the April 1, 2019 to March 31, 2020 vacation accrual period and beyond.

b) Article A22 – Sunday and Night Work

- The parties agreed to provide a \$0.25/hr. premium for all employees working after 21:00 hours (9:00 p.m.) until the end of their shift. This premium does not apply when employees are being paid overtime or when another premium is being paid.

c) Article B11 – Spareboard

- The parties agreed to meet and review of the spareboard (dispatch) rules within 60 days of ratification

d) Article C5 – Differential Pay

- Effective the first pay period 30 days after ratification, the parties agreed to improve the shift differential for afternoon and night shift maintenance employees by \$0.10/hr. This will result in the current differential pay increasing from \$1.10/hr. to \$1.20/hr.
- The parties also agreed that the senior regular journeyperson on the night shift would only receive responsibility pay for those hours that there is no mechanical supervisor on shift.

e) Certified Professional Bus Operator Wage Rate

- The premium paid for employees who hold a Professional Bus Operator Certification will be included in the base wage effective June 1, 2019.

f) Office Staff and Customer Service Compensation Evaluation

- The parties agreed to conduct a compensation evaluation for Office Staff and Customer Service prior to the next round of collective bargaining.

g) Superannuation “General” Plan – Administrative Expenses

The Union agreed to work with the City to ensure that the administrative expenses receive by the City and contained in the Agreement in Principle are implemented in accordance with the agreement reached in the previous round of collective bargaining.

h) Housekeeping and Administrative Changes

- A number of housekeeping items, including the use of gender neutral pronouns and the updating of division titles.

The Saskatoon Municipal Review Commission Amendment Bylaw, 2019 (No. 2)

ISSUE

This report submits Bylaw No. 9657, *The Saskatoon Municipal Review Commission Amendment Bylaw, 2019 (No. 2)* (the “Bylaw”) for City Council’s consideration. The Bylaw implements City Council’s decision to amend the timing of the Saskatoon Municipal Review Commission’s reports to City Council.

RECOMMENDATION

That City Council consider Bylaw No. 9657, *The Saskatoon Municipal Review Commission Amendment Bylaw, 2019 (No. 2)*.

BACKGROUND

At its October 28, 2019 Regular Business Meeting, City Council considered the report of the City Solicitor dated October 21, 2019 and resolved:

“That the City Solicitor be directed to amend Bylaw No. 9242, *The Saskatoon Municipal Review Commission Bylaw, 2014*, to:

1. Require the Municipal Elections Committee to report on or before December 31, 2021 and every four years following on or before December 31;
2. Require the Remuneration Committee to report on or before December 31, 2022 and every four years following on or before December 31;
3. Require the Code of Conduct Committee to report on or before December 31, 2023 and every four years following on or before December 31; and
4. Indicate City Council’s ability to amend the established schedules of reporting, either at the request of the Municipal Review Commission, or on its own motion, to accommodate unforeseen circumstances.”

DISCUSSION/ANALYSIS

In accordance with City Council’s instructions, we are pleased to submit Bylaw No. 9657, *The Saskatoon Municipal Review Commission Amendment Bylaw, 2019 (No. 2)* for City Council’s consideration.

APPENDIX

1. Proposed Bylaw No. 9657, *The Saskatoon Municipal Review Commission Amendment Bylaw, 2019 (No. 2)*.

Report Approval

Written by: Reché McKeague, Solicitor
Approved by: Cindy Yelland, City Solicitor

Admin Report - The Saskatoon Municipal Review Commission Amendment Bylaw, 2019 (No. 2).docx
File No. 171.0065

BYLAW NO. 9657

The Saskatoon Municipal Review Commission Amendment Bylaw, 2019 (No. 2)

The Council of the City of Saskatoon enacts:

Short Title

1. This Bylaw may be cited as *The Saskatoon Municipal Review Commission Amendment Bylaw, 2019 (No. 2)*.

Purpose

2. The purpose of this Bylaw is to amend Bylaw No. 9242, *The Saskatoon Municipal Review Commission Bylaw, 2014*, to:
 - (a) require the Municipal Elections Committee to report on or before December 31, 2021 and every four years following on or before December 31;
 - (b) require the Remuneration Committee to report on or before December 31, 2022 and every four years following on or before December 31;
 - (c) require the Code of Conduct Committee to report on or before December 31, 2023 and every four years following on or before December 31; and
 - (d) indicate City Council's ability to amend the established schedules of reporting, either at the request of the Municipal Review Commission, or on its own motion, to accommodate unforeseen circumstances.

Bylaw No. 9242 Amended

3. *The Saskatoon Municipal Review Commission Bylaw, 2014* is amended in the manner set forth in this Bylaw.

Section 12 Amended

4. Subsection 12(4) is amended by striking out "subsection (1) on or before June 30, 2017, and thereafter at intervals of every four years on or before the 30th day of June" and substituting the following:

“subsection (1):

- (a) on or before June 30, 2017;
- (b) on or before December 31, 2021; and
- (c) every four years thereafter on or before December 31.”

Section 13 Amended

5. Subsection 13(4) is amended by striking out “subsection (1) on or before December 31, 2017, and thereafter at intervals of every four years on or before the 31st day of December” and substituting the following:

“subsection (1):

- (a) on or before December 31, 2020;
- (b) on or before December 31, 2023; and
- (c) every four years thereafter on or before December 31.”

Section 14 Amended

6. Subsection 14(6) is amended by striking out “subsection (1) on or before June 30, 2018 and thereafter at intervals of every four years on or before the 30th day of June” and substituting the following:

“subsection (1):

- (a) on or before June 30, 2018;
- (b) on or before December 31, 2022; and
- (c) every four years thereafter on or before December 31.”

New Section 16.1

7. The following section is added after section 16:

“Timing of Reports

16.1 Council may adjust the time limit to submit any report required pursuant to sections 12, 13, 14 and 16:

- (a) as is reasonable to accommodate unforeseen circumstances; and
- (b) at the request of the Commission or on its own motion.”

Coming into Force

8. This Bylaw comes into force on the day of its final passing.

Read a first time this _____ day of _____, 2019.

Read a second time this _____ day of _____, 2019.

Read a third time and passed this _____ day of _____, 2019.

Mayor

City Clerk



➤ Strategic Research Initiatives

Office of the Vice-President Research
Room 3450, 110 Gymnasium Place Saskatoon SK S7N 4J8 Canada
Ph: 306-966-7295 Fx: 306-966-8597
Web: www.usask.ca/research



1 November 2019

To: City of Saskatoon Governance & Priorities Committee

Subject: City Councillor Representation on Research Connections Grant Awards Committee

On February 27, 2018, the City of Saskatoon (City) and University of Saskatchewan (USask) executed a formal Memorandum of Understanding which purpose was to better define each parties' current areas of engagement and areas of current or future collaboration, including a process through which each party may identify and commit to work collaboratively on current or future engagements.

A Working Group consisting of senior leaders from the City and USask was initially established in 2017, and meets quarterly to discuss areas of strategic engagement and collaboration. Task Teams were established to provide oversight and coordination of activities within each area of focus: Reconciliation Initiatives, Infrastructure & Land Development, Research Connections, and Student Engagement & Student Life.

As part of the Research Connections Task Team, a research grant program called Research Junction has been established. This program will involve at least one USask researcher and one City of Saskatoon staff member working together to address community needs around issues that include urban planning, reconciliation, transit, environmental sustainability, and youth issues. Half a dozen grants of \$10,000 to \$30,000 will be awarded through a competition to projects that support the City's strategic goals.

We are requesting that the City nominate one Councillor to sit on the award committee. In early December, the award committee will be asked to meet to review the applications and make their award selections. The committee will also include a few USask and City Administration representatives.

Sincerely,

Laura Zink,

Director, Strategic Research Initiatives

University of Saskatchewan